

**PROCEEDINGS
OF THE
COUNCIL
OF THE
CITY OF ROCHESTER
2020**

ROCHESTER, NEW YORK

OFFICIALS 2020

Lovely A. Warren Mayor

James Smith
Deputy Mayor

Rosiland Brooks-Harris
Director of Finance

Alex R. Yudelson (1)
Chief of Staff

Gary Kirkmire
Commissioner of Neighborhood &
Business Dev.

Brittaney Wells (2)
Chief of Staff

Norman Jones
Commissioner of Environmental
Services

Timothy Weir
Director of Office Public Integrity

Michael Cerretto
Emergency Communication Center
Director

Josanne Reaves
Executive Staff Assistant IV

La’Ron Singletary (3)
Police Chief

Tracey Miller
Assistant to the Mayor

Mark Simmons (4)
Police Chief

Christopher Wagner
Director of Management & Budget

Cynthia Herriott-Sullivan (5)
Police Chief

Tassie Demps
Director of Human Resource Management

Willie Jackson
Fire Chief

Justin Roj
Director of Communications

Patricia Uttaro
Library Director V

Timothy Curtin
Corporation Counsel

Daniele Lyman-Torres
Commissioner of Recreation & Youth
Services

Albert Gauthier
Chief Technology Officer

(1) Position Ended 09/27/2020

(2) As of 09/28/2020

(3) Position Ended 09/14/2020

(4) Promotion 09/15/2020 – Acting Police Chief Position Ended 10/13/2020

(5) As of 10/14/2020

**Members of Council
2020**

Members	Residence
Loretta C. Scott	171 Berwick Road, 14609
President, Councilmember-at-Large	
Willie J. Lightfoot	147 Trafalgar Street, 14619
Vice President, Councilmember-at-Large	
Malik D. Evans	115 Nunda Blvd, 14610
Councilmember-at-Large	
Mitchell D. Gruber.....	951 Park Avenue, 14610
Councilmember-at-Large	
LaShay D. Harris	323 Aldine Street, 14619
Councilmember, South District	
Mary Lupien.....	463 Parsells Ave, 14609
Councilmember East District	
Miguel Meléndez Jr.(2)	2200 St Paul St, 14621
Councilmember- at -Large	
Jacklyn Ortiz(1).....	45 Ontario Street, 14605
Councilmember-at-Large	
Michael A. Patterson.....	1547 North Goodman Street, 14609
Councilmember, Northeast District	
Jose M. Peo	70 Hopper Terrace, 14612
Councilmember, Northwest District	

(1) Resigned August 27, 2020
(2) Position began September 25, 2020

CITY CLERK'S OFFICE
2020

Hazel L. Washington.....City Clerk
Condenessa G. Brown.....Deputy City Clerk
Birth A. Manigault Chief Legislative Assistant
Victoria Best (1) Senior Legislative Assistant
Joe L. Thomas Legislative Assistant
Barbara L. Campbell (2) Senior Legislative Assistant
Lisa M. Alexander..... Senior Legislative Clerk
Curtis Joiner Legislative Clerk
Maria Del Lacagnina..... Legislative Clerk

- (1) Resigned 01/20/20
- (2) Promoted 02/03/20

CITY COUNCIL OFFICE

2020

Robert J. Scanlon II.....Chief of Staff
Mary K. Hasselwander (1).....Associate Legislative Analyst
Wendy Velez Secretary to City Council

(1) Promotion ?

**Standing Committees
Of the
City Council
2020**

Art and Culture
Spaull, Patterson, Clifford

Finance
Evans, Harris, Patterson

Neighborhood and Business Development
Patterson, Lupien, Ortiz (1), Meléndez (2)

Parks and Public Works
Gruber, Evans, Peo

Public Safety, Youth and Recreation
Lightfoot, Gruber, Harris, Peo

The first Councilmember named after
the designation of the Committee is
Chair thereof.

Regular meetings of the Council shall be held at 7:30 p.m. in the Council Chamber, Room 302-A, City Hall.

Special Meetings may be called at any time by the Mayor or President of Council or any three Councilmembers.

- (1) Resigned in August 2020
- (2) Position Began September 2020

ORGANIZATION MEETING

JANUARY 2, 2020

3:30 P.M.

Present - Presiding Officer Lightfoot, Councilmembers Evans, Gruber, Harris, Lupien, Ortiz, Patterson, Peo, Scott - 9.

Absent - 0.

The Council Presiding Officer requested the Council to rise for a Moment of Silence.

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

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

By Councilmember Lightfoot

Resolution No. 2020-1

Resolution for the nomination and selection of a President of the Rochester City Council

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

Section 1. The Council of the City of Rochester hereby nominates and selects Loretta C. Scott as President of the Council for the years 2020-21.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Scott

Resolution No. 2020-2

Resolution for the nomination and election of a Vice President of the Rochester City Council

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

Section 1. The Council of the City of Rochester nominates and selects Willie J. Lightfoot as Vice President of the Council for the years 2020-21.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Evans

Resolution No. 2020-3

Resolution for the selection and appointment of the City Clerk

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

Section 1. The Council of the City of Rochester hereby selects and appoints Hazel L. Washington as the City Clerk for the years 2020-21.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Harris

Resolution No. 2020-4

Resolution adopting the Rules of Council

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

Section 1. The Council hereby adopts the following Rules of Council, for the years 2020-21.

I. REGULAR MEETINGS - Regular meetings of the Council of the City of Rochester shall be held in the Council Chambers, City Hall, at 7:30 P.M., on the following dates in 2020:

- January 21
- February 18
- March 17
- April 14
- May 12
- June 16
- July 21
- August 18
- September 15
- October 13
- November 10
- December 15

and also at such other times as the Council may by adjournment to a day certain appoint. The regular meeting schedule for 2021 shall be established in a resolution adopted in 2020. When the date for a regular meeting falls on a legal holiday the meeting shall be held on the following day.

II. SPECIAL MEETINGS - Special meetings may be called at any time by the Mayor, the President of the Council, or any three Councilmembers. The City Clerk shall cause the written notice thereof, specifying the object of the meeting, to be served upon each member personally or to be delivered at the member's usual place of residence or City email address at least twenty-four hours before the time fixed for such meeting, except that if such notice is served prior to 5:00 P.M., the time for the special meeting may be fixed at any time after 9:00 A.M. the following day. Councilmembers may waive service of such notice in writing. At such special meeting no business other than that named in the notice of the meeting shall be transacted.

III. EXECUTIVE MEETINGS - Whenever the Council or a duly constituted committee thereof shall determine to transact business in an executive session, it shall do so in accordance with the provisions of the Open Meetings Law, and the presiding officer shall direct all persons except members and designated officers of the City to withdraw.

IV. QUORUM - The majority of the Councilmembers shall constitute a quorum; but a smaller number may adjourn from day to day.

V. PRESIDING OFFICER - The President of the Council, and in the President's absence, the Vice President, shall preside over the meetings of the Council. In the absence of both the President and the Vice President, the City Clerk shall call the meeting to order and the Council shall appoint as presiding officer a President pro tempore.

VI. ORDER OF BUSINESS - The following shall be the order of business at regular meetings:

1. Roll Call.
2. Moment of Silence & Pledge of Allegiance.
3. Approval of the minutes of the preceding meeting or meetings.
4. Communications to the Council from the Mayor, President of the Council, other corporate officers, boards and departments and miscellaneous communications.
5. Presentation and reference of petitions and any other communications.
6. Introduction of and action upon local laws, ordinances and resolutions.
7. Reports of standing committees and action thereon.
8. Reports of special committees.
9. Miscellaneous business.
10. Adjournment.

VII. PERMISSION FOR PERSONS TO SPEAK BEFORE THE COUNCIL - For one hour prior to roll call at the commencement of a Council meeting, the President of the Council may allow any person to speak to the Council upon the following terms and conditions:

1. In order to speak, a citizen must notify the Clerk's Office before 5:30 p.m. on Council meeting nights.
2. The citizen must specify to the Clerk the subject of his or her remarks.
3. The Clerk will prepare two lists of scheduled speakers:
 - A. Those wishing to speak on items which are on the agenda for that Council meeting (List A).
 - B. Those wishing to speak on items which are not on the agenda for that Council meeting (List B).
4. The lists shall be in the order that citizens notified the Clerk's Office.
5. Each speaker will be allotted no less than two (2) minutes and no more than three (3) minutes. The President will divide sixty (60) minutes by the number of speakers on both lists to determine the amount of time allotted to each speaker.
6. The President will call the speakers in order as listed on List A, and after completing List A, the speakers on List B, giving each the amount of time determined in paragraph 5 above.
7. If there are any speakers on List A not reached by 7:30 p.m., the time for Speak to Council will be extended to allow all speakers on that List to be heard. If there any speakers on List B who have not had the opportunity to speak before the Council Meeting begins, they will be invited either to speak at the conclusion of the Council Meeting or to return to the next Council session when their names will be placed at the top of the appropriate List.
8. Speakers must relinquish the podium at the end of their allotted time.
9. In the event that the President shall determine that any speaker is violating any of the Rules of Council, the President, in the President's discretion, may cause the meeting to be recessed.

Any person may also speak at meetings of duly constituted committees of the Council at the invitation of the Chairperson and upon such terms and conditions as the Chairperson may, from time to time, prescribe.

VIII. PUBLIC HEARINGS – Each person wishing to speak at a public hearing with respect to a specific proposed item of legislation shall be allotted no more than 3 minutes. Speakers must relinquish the podium at the end of their allotted time. Public Hearings will take place at the end of the last scheduled standing Council Committee meeting on the following days:

- January 16
- February 13
- March 12
- April 9
- May 7
- June 11
- July 16
- August 13
- September 10
- October 8
- November 5
- December 10

The President may designate that a specific public hearing shall be held at a regular or special meeting of the Council, or at a special meeting of a Council Committee, by giving notice to all Councilmembers, which shall be served upon each member personally or to be delivered at the member’s usual place of residence or City email address before the time fixed for the said hearing. The regular committee meeting schedule for 2021 shall be established in a resolution adopted in 2020.

IX. ROLL CALL VOTE - On the passage of every ordinance which is not adopted by unanimous vote, on the passage of any ordinance authorizing the issuance of bonds and notes, on the selection of any officer other than by unanimous vote, and on the enactment of any local law, the individual vote for or against the particular legislation before Council shall be entered in full upon the journal. In the case of an abstention from a vote, any member who abstains from voting shall state publicly the reasons for such abstention: such reasons shall be entered in full upon the journal.

X. PRECEDENCE OF MOTIONS - When a question is before the Council no motion shall be entertained except: First, to adjourn; second, to fix the hour of adjournment; third, for the previous question; fourth, to lay on the table; fifth, to postpone indefinitely; sixth, to postpone to a day certain; seventh, to refer; eighth, to amend. These motions shall have precedence in the order indicated. Any such motion, except a motion to amend, shall be put to vote without debate.

- XI. PREVIOUS QUESTION - The previous question shall be put as follows: "Shall the main question be now put?" If this question is decided in the negative, the main question remains before the Council.
- XII. MOTION TO AMEND – A motion to amend shall not be voted upon until the text of the amendment is presented to the Councilmembers in writing.
- XIII. DIVISION OF QUESTIONS - If the question contains two or more divisible propositions, the presiding officer shall, upon the request of any member, divide the same, but a motion to strike out a provision and insert a substitute is not divisible.
- XIV. RECONSIDERATION - After the decision of any question, a member who voted in the majority may move its reconsideration at the same or a subsequent meeting. If a motion for reconsideration be lost, it shall not be renewed without unanimous consent of the members present and no question shall a second time be reconsidered without similar unanimous consent. After a local law or ordinance has been signed by the Mayor, or has been presented to the Mayor and more than thirty (30) days have expired, during which time the Mayor neither approved it nor returned it to the Clerk with objections, it shall not be reconsidered, but such local law or ordinance may be repealed, or amended.
- XV. WITHDRAWAL OF MOTION - Any motion may be withdrawn by the maker before it has been amended or voted upon, but in such case any other member may renew the motion at that time.
- XVI. PROCEDURE ON RESOLUTIONS - All resolutions of the Council shall be adopted by the affirmative vote of a majority of the members present at the meeting at which action is taken thereon. Any member of the Council may introduce a resolution into the Council either (a) at any meeting of the Council, at which time the presiding officer shall refer the resolution to the appropriate standing committee, or (b) at any time until 5:00 p.m. the day before a committee meeting by submitting it to the President of the Council who shall promptly forward it to the Chair of the appropriate standing committee. The Council shall not vote upon any resolution until it has been discharged from one or more standing committees pursuant to Section XVII of these rules, provided, however, that the Council may vote upon a resolution without reference to or discharge from a standing committee if it is accompanied by a statement of necessity of immediate passage signed by the Mayor or the President of Council, or these rules are suspended as provided herein.
- XVII. PROCEDURE ON LOCAL LAWS AND ORDINANCES -- All legislative acts of the Council shall be by local law or ordinance adopted by the affirmative vote of five members of the Council, unless otherwise expressly required by law.

Any member of the Council or the Mayor may introduce a Local Law or Ordinance into the Council. Such proposed legislation shall be submitted to the President of the Council. Proposed legislation submitted to the President of the Council by any Councilmember or the Mayor shall be deemed introduced into the Council on the day the President forwards it to the City Clerk who shall note on the copy the date of its introduction and its sequential introductory number.

Proposed legislation shall be similarly distributed to Councilmembers on "Referral Day" which shall be at least nineteen (19) days prior to the date of the Council meeting at which it is scheduled to be considered. During the week following Referral Day, additional legislation may be submitted to the President of Council for distribution to the appropriate committee(s) at the discretion of the President.

Proposed legislation submitted by the Mayor less than twelve (12) days before the Council Meeting at which it is scheduled to be considered shall be accompanied by a statement of necessity of immediate consideration signed by the Mayor and stating the nature of the emergency. Proposed legislation submitted less than five (5) days before the Council Meeting at which it is scheduled to be considered shall be accompanied by a statement of necessity of immediate consideration stating the nature of the emergency and signed:

- a) by the Mayor and President of the Council, in the case of legislation submitted by the Mayor; or
- b) by the President of the Council, in the case of legislation submitted by a member of Council.

The Clerk shall keep a file of all proposed legislation until it is voted upon by the Council or until the expiration of each two-year term of Council.

A local law or ordinance amended after its introduction shall proceed to consideration by Council in the normal course unless such legislation as amended is ruled to be so substantially different from the original as to constitute a new local law or ordinance that that must be introduced and distributed anew for consideration at a subsequent meeting of Council. A ruling on whether amended legislation constitutes a new local law or ordinance shall be required only upon the motion of a Councilmember and the ruling shall be made by the presiding officer, or the Council on appeal from the presiding officer's ruling.

The Council shall not vote upon any local law or ordinance until it has been discharged from one or more standing committees of the Council pursuant to Section XIX of these rules, provided, however, that the Council may vote upon proposed legislation without reference to or discharge from a standing committee if:

- a) as to a local law, it is accompanied by a statement of necessity of immediate passage signed by the Mayor, and its adoption is by the affirmative vote of six (6) members of the Council, or
- b) as to an ordinance, (i) it is accompanied by a statement of necessity of immediate passage signed by the Mayor, or (ii) approval to vote upon it is given by six (6) members of the Council.

Whenever a public hearing is required to be held by the Council on an item of proposed legislation, the President may direct the City Clerk to advertise the public hearing in the manner and for the period of time required by law so that such hearing may be held at the end of the final standing Committee Meeting; or if the hearing is to be held before a specific committee, such hearing shall be advertised so that it may be held at the next available regularly scheduled or special meeting of that committee; unless the Council provides otherwise by resolution.

Whenever the Mayor has disapproved a local law or ordinance and the City Clerk has presented the local law or ordinance to the Council with the Mayor's objections, the President or any member of Council may move for reconsideration of the same within thirty (30) days.

- XVIII. CONSTITUTION OF COMMITTEES - The following standing committees shall be appointed by the President of the Council at the organization meeting of the Council:

Finance; Neighborhood & Business Development; Parks & Public Works; Public Safety, Youth & Recreation.

The first named member of each committee shall be Chair. The President and the Vice President shall be ex officio voting members of all committees.

A change in the personnel of the foregoing committees, including a change in the Chair thereof, may be effected at any time or times at the pleasure of the President of the Council with the concurrence of a majority of the Council, or in any case by a two-thirds vote of the Council. The President shall be empowered to constitute a Committee of the Whole, in place of any standing committee, to consider Mayoral appointments of Department Heads or for other resolutions, local laws, or ordinances considered to be of sufficient importance as to merit such treatment. Discharge from the Committee of the Whole shall fulfill the requirements variously stated in Sections XVI, XVII, and XIX, which call for the discharge of any proposed legislation from a standing committee before it can be acted upon by the Council.

- XIX. MEETINGS AND PROCEDURES OF STANDING COMMITTEES - A majority of a committee shall constitute a quorum. Each committee shall meet at the call of its Chair or any other two members, upon reasonable notice to all committee members. Regular meetings of the standing committees shall be scheduled no later than five (5) days before the date of a Council meeting.

A committee may hold a public hearing on any proposed legislation referred to it. A committee may amend any proposed legislation referred to it by majority vote of its members taken at a meeting, and if discharged, the Council shall consider the proposed legislation.

In discharging any proposed legislation referred to it, a committee shall specifically recommend the legislation for adoption, rejection or consideration by the Council in a written report signed by a majority of its members attending the committee meeting. Any proposed legislation discharged by a committee shall be placed by the City Clerk on the agenda of the next regular Council meeting, at which the Council shall vote upon each item of proposed legislation separately, a yes vote to indicate adoption of the legislation, and a no vote to indicate rejection of the legislation.

If a committee fails or refuses to discharge any proposed legislation referred to it, it may be discharged on a motion duly seconded by the affirmative vote of a majority of the Council.

In order to effectuate the provision of Section 120-190(C)(3)(a) of Chapter 120 of the Municipal Code, Zoning Code, that authorizes the City Council to initiate a proposal to amend the Zoning Code text, the Zoning Map, the Official Map or the Comprehensive Plan (collectively, a Proposal), any member of the Council may introduce Proposal legislation. The Neighborhood & Business Development (NBD) Committee shall be authorized, upon approval of a motion by a majority vote, to submit a Proposal to the Manager of Planning and Zoning (Manager) for review by the Planning Commission in accordance with Zoning Code §120-190(C)(3)(c) on behalf of the Council without first discharging the Proposal to the Council. If the NBD Committee fails or refuses to refer the Proposal to the Manager, the Council may refer the Proposal to the Manager on a motion duly seconded by the affirmative vote of a majority of the Council. After the Planning Commission completes its review of a Proposal and transmits its recommendation to the City Clerk for Council action, the Proposal and the Planning Commission's recommendation shall be forwarded to the NBD Committee for review and discharge to the Council in the normal course as prescribed elsewhere in these rules and subject to the timely action, right of objection of affected and adjoining property owners, public hearing and notice requirements set forth in Zoning Code §120-190(C)(3)(d).

- XX. ROBERT'S RULES OF ORDER - The rules of parliamentary practice comprised in Robert's Rules of Order shall govern the Council in all cases except as herein provided.

- XXI. SUSPENSION OF RULES - Any rule of the Council, except as otherwise specifically provided in such rule, may be temporarily suspended by a vote of two-thirds of all the members present, unless such rule is prescribed by law.

- XXII. AMENDMENT OF RULES - No permanent alteration shall be made in these rules without notice of the proposed change having been given at a previous meeting.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Ortiz

Ordinance No. 2020-1

Designating the Official Newspapers of the City of Rochester for the Years 2020-21

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

Section 1. The following newspapers are hereby designated to be the official newspapers of the City of Rochester for the years 2020-21: the Democrat & Chronicle, the Daily Record, the Rochester Business Journal, City Newspaper and Southwest Tribune.

Section 2. The Mayor is hereby authorized to enter into agreements with the publishers of said newspapers whereby said newspapers shall publish and print such materials as shall be delivered to the newspaper by the City Clerk or other authorized officials or employees of the City. In no event shall any designated newspaper have the right to publish all official notices of the City.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes : President Scott, Councilmembers Evans, Gruber, Lightfoot, Lupien, Ortiz, Patterson, Peo, - 8.

Nays – 0.

Councilmember Harris abstained due to a professional relationship.

The meeting was adjourned at 4:19 P.M.

Hazel L. Washington
City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

January 21, 2020

Present –President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo – 9.

President Scott requested the Council to rise for a Moment of Silence.

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

Special Recognition:

- Alvin Colon
- Chet Hamann
- Evangela “Van” Stanley
- Darnell Wilson
- Andrea Guzzetta

Retirement:

DRYS:

- *Michael Velazquez

DES:

- *Theodore Snacki

RPD:

- *Garth Mitchell
- *Mark Walker

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Peo

RESOLVED, that the minutes of the Regular Meeting on December 17, 2019 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

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

- Quarterly Reports – Professional Services Agreement – December 31, 2019 -4320-20
- Quarterly Reports – Delinquent Receivables – December 31, 2019 – 4321-20

The Council submits Disclosure of Interest Forms from Vice President Lightfoot on Int. No. 21, Councilmember Evans on Int. No. 22, Councilmember Gruber on Int. No. 5, Councilmember Harris on Int. No. 21 and Int. No. 29, Councilmember Lupien on Int. No. 29 and Councilmember Patterson on Int. No. 5.

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

-None Presented

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on January 16, 2020 on the following matters:

Amending the Zoning Map by changing the zoning classifications of properties on Clifford Avenue, Theodore Street and Maria Street No Speakers Int. No. 5

Authorizing pavement width and traffic flow changes for Sager Drive between Culver Road and East Boulevard No Speakers Int. No. 13

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Evans January 21, 2020

To the Council:

The FINANCE COMMITTEE recommends for ADOPTION the following entitled legislation:

- Int. No. 1 Resolution approving reappointments to the Rochester Public Library Board of Trustees
Int. No. 2 Authorizing agreement and funding for the Financial Empowerment Centers Initiative
Int. No. 3 Resolution approving appointments to the Board of Assessment Review
Int. No. 29 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$16,380,000 Bonds of said City to finance the costs of improvements to specified City School District schools.

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

Received, filed and published.

TO THE COUNCIL Ladies and Gentlemen:

Re: Resolution No. 2020-5 Re-appointment – Rochester Public Library Board of Trustees

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation confirming the following re-appointments to the Rochester Public Library (RPL) Board of Trustees for a five-year term:

Katherine C. Baynes, Glenn A. Gardner, Richard L. Hamilton, 210 Dartmouth Street, 35 Coburg Street, 230 Dartmouth Street, Rochester, NY 14607, Rochester, NY 14612, Rochester, NY 14607

The current terms of the above Trustees expire on December 31, 2019; Ms. Baynes', Mr. Gardner's, and Mr. Hamilton's new terms would expire on December 31, 2024.

During her time on the board, Ms. Baynes has proven to be a highly engaged trustee, currently serving as President of the Board and previously serving terms as Secretary and Vice-President. She has also served on the Board's Finance Committee and has an excellent attendance record.

Mr. Gardner was initially appointed to the Board in September 2015, to fulfill an unexpired term. Mr. Gardner has served on the Finance Committee since 2016 and has an excellent attendance record. He is very well regarded by his fellow trustees.

During his tenure Mr. Hamilton has served as President, Vice-President, Treasurer, and Secretary. He has also served on the Nominating Committee and the Finance Committee. Mr. Hamilton has a nearly perfect attendance record having missed only 2 meeting since his initial appointment in 2007.

Ms. Baynes', Mr. Gardner's, and Mr. Hamilton's resumes and attendance records have been submitted to the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2020-5
(Int. No. 1)

Resolution approving reappointments to the Rochester Public Library Board of Trustees

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

Section 1. The Council hereby approves the reappointment of the following individuals to the Rochester Public Library Board of Trustees, each for a term which shall expire on December 31, 2024.

Name	Address
Katherine C. Baynes	210 Dartmouth Street, Rochester, NY 14607
Glenn A. Gardner	35 Coburg Street, Rochester, NY 14612
Richard L. Hamilton	230 Dartmouth Street, Rochester, NY 14607

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-2
Re: Budget Amendment – 2019-20 Budget of the Office of the Mayor, Rochester Financial Empowerment Centers Initiative

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation to authorize an agreement with the Rochester Economic Development Corporation (Baye' Muhammad, Board President), headquartered in Rochester, NY, for the receipt and use of \$75,000 for implementation of the Financial Empowerment Centers Initiative, and amend the 2019-20 Budget of the Office of the Mayor to reflect the funding.

The Rochester Financial Empowerment Centers Initiative will offer free, professional, one-on-one financial counseling as a public service to Rochester residents without qualification. Highly-trained financial counselors will work with clients to drive positive financial outcomes related to banking access, savings and asset building, access to safe and affordable credit, and debt reduction. Counselors will be strategically located onsite with a variety of community partner organizations in order to integrate the counseling services within the existing social service ecosystem.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-2
(Int. No. 2)

Authorizing agreement and funding for the Financial Empowerment Centers Initiative

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 Rochester Economic Development Corporation for the receipt and use of \$75,000 in funding to implement the Financial Empowerment Centers Initiative.

Section 2. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Mayor's Office by \$75,000 to reflect the receipt of the funds authorized in Section 1 herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Resolution No. 2020-6
Appointment - Board Of Assessment
Review

Transmitted herewith for your approval is legislation to approve the appointments of the following individuals to the Board of Assessment Review:

Permanent Panel Members (5-year term)

Gerard Roberts, 32 Berkeley Street, Rochester, NY 14607

Temporary Panel Members (1-year term)

Carlos Mercado, 152 Gibbs Street, Apt 2, Rochester, NY 14605

Kaitlin Skelton, 273 Meigs Street, Apt 1, Rochester, NY 14607

Mark Ballou, 409 Park Avenue, Rochester, NY 14607

Gary D. Thomas, 1 Bly Street, Rochester, NY 14620

Christopher S. Tillet, 650 Seneca Parkway, Rochester, NY 14613*

Resumes of the above appointees are on file with the City Clerk and all reappointments have maintained perfect attendance when scheduled to serve.

*Mr. Tillet is being appointed as a new member of the Board of Assessment and Review, but previously served on this Board from 1996-2005.

Respectfully submitted,
Loretta C. Scott
President

Attachment No. AT-1

Ordinance No. 2020-6
(Int. No. 3)

Resolution approving appointments to the Board of Assessment Review

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

Section 1. The Council hereby approves the appointment of

Gerard Roberts
32 Berkeley Street
Rochester, NY 14607

to the Board of Assessment Review for a term that will expire on September 30, 2024.

Section 2. The Council hereby approves the appointments of

Carlos Mercado
152 Gibbs Street, Apt 2
Rochester, New York 14605

And

Kaitlin Skelton
273 Meigs Street, Apt 1
Rochester, NY 14607

And

Mark Ballou
409 Park Avenue
Rochester, NY 14607

And

Gary D. Thomas
1 Bly Street
Rochester, NY 14620

And

Christopher S. Tillet
650 Seneca Parkway
Rochester, NY 14613

to the Board of Assessment Review for a term that will expire on September 30, 2020.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-3
Capital Improvement Program –
City School District

Council Priority: Deficit Reduction and Long-
Term Financial Stability, Support the Creation
of Effective Educational Systems

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

1. Authorize \$16,380,000 as debt to be authorized for the 2019-20 fiscal year for the RCSD; and
2. Authorize the issuance of bonds for \$16,380,000 and the appropriation of the proceeds thereof for capital improvements to existing school buildings in the District.

By City Council Policy, borrowing in any fiscal year may not exceed the principal on outstanding debt redeemed for that year. During fiscal year 2019-20 the RCSD will liquidate \$19,692,706 in principal. *Attachment A* is a projection of the School District debt to be repaid over the current and next four fiscal years.

For cities with dependent school districts, the NY State Constitutional Debt Limit is established at 9.0% of the 5-year average full valuation. As specified in the City Charter, Rochester splits this limit into 5.5% for the City and 3.5% for the School District. This split provides the District with a remaining borrowing capacity of \$71,806,295 (*Attachment B*).

In accordance with the City Council Policy adopted April 20, 2016, bonding for schools in the CIP will not include schools in a current phase of the Facilities Modernization Program unless for reasons of health and safety; the RCSD will use cash capital as defined by New York State Finance law.

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

In addition, the Policy of April 2016 requires the City of Rochester’s Engineering and Architecture staff to review the RCSD’s request and for the District to provide school closings. *Attachment D* is a memorandum from the Assistant City Engineer confirming said E&A review.

The New York State Education Department, by letter dated September 18, 2019 has confirmed the RCSD has met the Maintenance of Effort (MOE) requirement for 2019-20. When the City issues this debt the repayments will be structured to the extent possible to continue meeting the MOE requirements, while remaining within the constraints of Local Finance Law.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-2

Ordinance No. 2020-3
(Int. No. 29)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$16,380,000 Bonds of said City to finance the costs of improvements to specified City School District schools

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 \$16,380,000 of the costs of the City School District 2019-20 Capital Improvement Program, including the costs of the design, renovation and improvement of the City School District schools indicated on the attached Exhibit A (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$16,380,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$16,380,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$16,380,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto. The principal of the Bonds authorized by this Ordinance does not exceed the principal of the Bonds being redeemed on behalf of the School District during the City's 2019-20 Fiscal Year. The proceeds of the Bonds authorized herein shall not be applied to any School District facility in the current phase of the School District Facilities Modernization Program.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$16,380,000. 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 Scott, Councilmembers Evans, Gruber, Lightfoot, Ortiz, Patterson, Peo – 7.

Nays: None -0

Councilmembers Harris and Lupien abstained due to a professional relationship.

By Councilmember Patterson
January 21, 2020

To the Council:

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

Int. No. 4 Authorizing the sale of real estate

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

Int. No. 5 Amending the Zoning Map by changing the zoning classifications of properties on Clifford Avenue, Theodore Street and Maria Street

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-4
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

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

The first property is listed on the attached spreadsheet under the heading, I. Negotiated Sale – Former Right-of-Way. The parcel was created by Ordinance No. 2018-129, which approved the abandonment of former right-of-way, and was sold by negotiated sale to the adjacent owner who constructed a parking lot in accordance with an approved redevelopment project.

The remaining four properties are unbuildable vacant lots listed under the heading, II. Negotiated Sale - Unbuildable Vacant Land. Each is being sold for \$1.00 (as per City policy) to the adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these five properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$3,260.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-3

Ordinance No. 2020-4
(Int. No. 4)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcel of former right-of-way with proposal:

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
965 E Main St	106.75-1-63	60 x 341	13,636	\$20,000	The Pike Company, Inc.

Section 2. The Council hereby approves the sale of each of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
184-186 Bartlett St	120.67-2-74	36 x 87	3,254	Lloyd S. Stevens
64 Second St	106.59-2-85.1	20 x 120	2,400	Thommy Rodriguez Aponte
East Half 264-266 Weyl St	091.73-4-14	17.5 x 104	1,800	Janice McFadden
West Half 264-266 Weyl St	091.73-4-14	17.5 x 104	1,800	Cheryl Chung Wiggins

Section 3. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-5
Re: Zoning Map Amendment – multiple properties on Clifford Avenue, Theodore Street, and Maria Street
Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties located at 615, 621, and 625 Clifford Avenue, and 1, 2, 3, 4, and 6 Theodore Street from R-1 Low Residential District to C-1 Community Center District, and by rezoning the properties located at 14, 16, 18, 20, 23, 24, 25, 26, 29, 30, 31, 34, 35, and 36 Maria Street from R-1 Low Density Residential District to R-2 Medium Density Residential District to facilitate a mixed-use development project.

The applicant, CDS Life Transitions, Inc. (President and CEO, Sankar Sewnauth) proposes to construct seven buildings on approximately 3.5 acres of land. When completed, the proposed redevelopment project will have created 164 residential units. Of the total number of units, 40 will be rented to households with incomes between 0-30% of the Area Medium Income (AMI), 38 to household with incomes between 31-50% of the AMI, 58 to household with incomes between of 51-60% the AMI, 20 to household with incomes between of 61-90% the AMI, and 8 place-based vouchers. The completed project will also offer tenant amenity space and commercial space.

CDS Life Transitions, Inc. is proposing to acquire 25 properties on the southeast corner of Joseph and Clifford Avenues, 22 of which they have requested to be rezoned. The zoning of the remaining three (576-590, 570, and 562-566 Joseph Avenue) will be unchanged. Of the 22 properties to be rezoned, 21 of which are City-owned, vacant-land, and the remaining one is a privately-owned single-family residence. The Director of Real Estate for the City of Rochester and the homeowner have provided their written consent to this rezoning map amendment.

The City Planning Commission held an informational meeting on December 16, 2019. The applicant and one person spoke in support of the rezoning, and no one spoke in opposition. By a vote of 6-0-0, the City Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-5
(Int. No. 5)

Amending the Zoning Map by changing the zoning classifications of properties on Clifford Avenue, Theodore Street and Maria Street

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning map classification of the following properties from R-1 Low Residential District to C-1 Community Center District:

Address	SBL #
615 Clifford Avenue	106.31-3-15
621 Clifford Avenue	106.31-3-16
625 Clifford Avenue	106.31-3-17
1 Theodore Street	106.31-3-18
2 Theodore Street	106.31-3-19
3 Theodore Street	106.31-3-20
4 Theodore Street	106.31-3-21
6 Theodore Street	106.31-3-23.001

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

Section 2. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning map classification of the following properties from R-1 Low Density Residential District to R-2 Medium Density Residential District:

Address	SBL #
14 Maria Street	106.32-4-24
16 Maria Street	106.32-4-25
18 Maria Street	106.32-4-26
20 Maria Street	106.32-4-27.001
23 Maria Street	106.32-4-41.001
24 Maria Street	106.32-4-29.001
25 Maria Street	106.32-4-40.001
26 Maria Street	106.32-4-30.001
29 Maria Street	106.32-4-37.002
30 Maria Street	106.32-4-32.001
31 Maria Street	106.32-4-36.002
34 Maria Street	106.32-4-34
35 Maria Street	106.32-4-1.001
36 Maria Street	106.32-4-2

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Gruber
January 21, 2020

To the Council:

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

- Int. No. 6 Authorizing appropriations and amending Section 3 of Ordinance 2018-335 for the 2018 Preventive Maintenance Northeast Group 1
- Int. No. 7 Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor
- Int. No. 8 Authorizing funding and agreement for the 2019 Preventive Maintenance Northwest Group 5 project
- Int. No. 9 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$580,000 Bonds of said City to finance the costs of the 2019 Northwest Highway Preventive Maintenance Group 5 project

- Int. No. 10 Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor
- Int. No. 11 Authorizing the implementation, and funding in the first instance 100% of the federal-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor
- Int. No. 12 Authorizing funding and agreement for the High Falls Overlook Feasibility Study
- Int. No. 14 Authorizing an intermunicipal agreement with the Town of Brighton for the chip seal and/or mill and paving of City streets adjacent to the Town’s street rehabilitation projects
- Int. No. 15 Authorizing an agreement for the Pedestrian Safety Action Plan Phase III project
- Int. No. 16 Authorizing funding and agreement for the Rochester Running Track Bridge Improvements Phase I project
- Int. No. 17 Authorizing the implementation and funding in the first instance of the State-aid Program eligible costs of a capital project and appropriating funds therefor

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

- Int. No. 13 Authorizing pavement width and traffic flow changes for Sager Drive between Culver Road and East Boulevard

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020 - 6
 Resolution No. 2020 -7
 Re: 2018 Preventive Maintenance Northeast Group 1 (Upper Falls Blvd and St. Paul Street)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the 2018 Milling and Resurfacing Preventive Maintenance Northeast Group 1 Project. This legislation will:

1. Appropriate \$432,000 in additional anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of construction and construction inspection services for the Project; and,
2. Appropriate \$22,050 in additional anticipated reimbursements from the New York State Marchiselli Aid Program to fund a portion of construction for the project; and,
3. Amend Ordinance No. 2018-335 to replace a portion of the bonds authorized per Ordinance No. 2018-336 (\$295,676) of the resident project representation (RPR) agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro Giovenco, P.E., President and CEO, Principal - Rochester, NY) related to the 2018 Preventive Maintenance Northeast Group 1 with \$834.66 of 2011-12 Cash Capital, \$593.34 of 2013-14 Cash Capital and \$294,248 of federal funding appropriate herein; and,
4. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City’s prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This federal aid project, administered by the City under agreement with the NYSDOT includes two locations:

- Upper Falls Blvd (Genesee River to Hudson Avenue), and
- St. Paul Street (Gorham Street to Lowell Street).

Street improvements include milling and resurfacing of the pavement; spot curb and sidewalk replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, catch basins, and water valve castings; and replacement of traffic markings and signal loops. These improvements enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

Construction started in spring 2019 and is substantially complete.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-5

Ordinance No. 2020-6
(Int. No. 6)

Authorizing appropriations and amending Section 3 of Ordinance 2018-335 for the 2018 Preventive Maintenance Northeast Group 1

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

Section 1. The Council hereby appropriates \$432,000 in additional anticipated reimbursements from the Federal Highway Administration to fund a portion of the construction and construction inspections services of the 2018 Preventive Maintenance Northeast Group 1 project (the Project).

Section 2. The Council hereby appropriates \$22,050 in additional anticipated reimbursements from the New York State Marchiselli Aid program to fund a portion of the construction and construction inspections services of the Project.

Section 3. Section 3 of Ordinance No. 2018-335 is hereby amended and shall read as follows:

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. in the maximum amount of \$375,000 for resident project representation services for the Project. Said amount shall be funded from \$79,324 in bonds to be issued for this purpose, \$834.66 of 2011-12 Cash Capital, \$593.34 of 2013-14 Cash Capital, and \$294,248 from anticipated reimbursements from the Federal Highway Administration. The term of the agreement shall extend until three months after completion of the Project.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2020-7
(Int. No. 7)

Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor

WHEREAS, a project for Northeast Group 1 Highway Preventive Maintenance Upper Falls Blvd & St. Paul Street, P.I.N. 4CR0.00 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction and construction inspection services.

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

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

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of construction and construction inspection works for the Project or portions thereof;

THAT the sum of \$454,050 appropriated pursuant to Ordinance No. 2020-6 available to cover the cost of participation in the above described phase of the Project;

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

- Ordinance No. 2020-7
- Ordinance No. 2020-8
- Resolution No. 2020-8

Re: 2019 Preventive Maintenance Northwest Group 5 (Beach Avenue, Dewey Avenue and Lake Avenue)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the 2019 Preventive Maintenance NW Group 5 Project. This legislation will:

1. Appropriate \$3,095,200 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the construction and construction inspection services for the project; and,
2. Appropriate \$580,350 in anticipated reimbursements from the New York State Marchiselli Aid Program to finance a portion of the construction and construction inspection services for the project; and,
3. Authorize the issuance of bonds totaling \$580,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and resident project representation (RPR) services for the project; and,
4. Establish \$650,000 as maximum compensation for a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro Giovenco, PE, President & Chief Executive Officer), Rochester, NY 14604, for resident project representation (RPR) services; and,
5. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City's prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This federal aid project, administered by the City under agreement with the NYSDOT includes three locations:

1. Beach Avenue from Lake Avenue to the West City Line;
2. Dewey Avenue from Eastman Avenue to the North City Line; and
3. Lake Avenue from the Lake Ontario State Parkway to Beach Avenue.

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

The project was designed by La Bella Associates, DPC, as authorized in February 2017 (Ord. No. 2017-36). Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. was selected to provide RPR services from the NYSDOT list of pre-approved regional engineering firms, which is described in the attached summary. The agreement will extend until three months after completion of a two year guarantee inspection of the project.

Bids for construction were received on November 12, 2019. The apparent low bid of \$3,824,921.66 was submitted by Concrete Applied Technologies Corp. (CATCO). An additional \$785.34 will be allocated for project contingencies.

	Construction	RPR	Contingency	Total
Federal Aid appropriated herein	2,645,610.00	449,590	0	\$3,095,200.00
Marchiselli Aid Appropriated herein	496,052.00	84,298	0	\$580,350.00
Bonds authorized herein	516,171.66	63,075	753.34	\$580,000.00
2013-14 Cash Capital	618.88	0	0	\$618.88
2015-16 Cash Capital	54,274.32	41,937	0	\$96,215.32
2016-17 Cash Capital	10,888.44	11,100	4.00	\$22,007.44
2017-18 Cash Capital	5,115.36	0	19.00	\$5,124.36
Anticipated Pure Waters Reimbursement authorized Ordinance No. 2016-160	96,191.00	0	9.00	\$96,191.00
Total	\$3,824,921.66	\$650,000	\$785.34	\$4,475,707.00

Construction is anticipated to begin in spring 2020 and will be substantially complete in fall 2020. The project's construction and RPR services will result in the creation and/or retention of the equivalent of 48.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-6

Ordinance No. 2020-7
(Int. No. 8)

Authorizing funding and agreement for the 2019 Preventive Maintenance Northwest Group 5 project

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

Section 1. The sum of \$3,095,200 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the cost of construction and construction inspection services for the 2019 Preventive Maintenance Northwest Group 5 project (the Project).

Section 2. The sum of \$580,350 in anticipated reimbursements from the New York State Marchiselli Aid Program is hereby appropriated to fund a portion of the costs of construction and construction inspection services for the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. in the maximum amount of \$650,000 to provide resident project representation services for the Project. Said amount shall be funded in the amounts of \$449,590 from the FHWA reimbursements appropriated in Section 1 hereof, \$84,298 from Marchiselli Aid reimbursements appropriated in Section 2 hereof, \$63,075 from the proceeds of City bonds authorized in a concurrent ordinance, \$41,937 in 2015-16 Cash Capital, and \$11,100 in 2016-17 Cash Capital. The term of the agreement shall continue to six months after completion of a two year guarantee inspection of the Project.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-8
(Int. No. 9)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$580,000 Bonds of said City to finance the costs of the 2019 Northwest Highway Preventive Maintenance Group 5 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 2019 Northwest Highway Preventive Maintenance Group 5 project on Beach Avenue from Lake Avenue to the City Line, on Dewey Avenue from Eastman Avenue to the north City Line, and on Lake Avenue from the Lake Ontario State Parkway to Beach Avenue (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,475,707. The plan of financing includes the issuance of \$580,000 in bonds of the City, which amount is hereby appropriated therefor, \$3,095,200 in anticipated reimbursements from the Federal Highway Administration appropriated in a concurrent ordinance, \$580,350 in State Marchiselli Aid appropriated in a concurrent ordinance, \$618.88 in 2013-14 Cash Capital, \$96,215.32 in 2015-16 Cash Capital, \$22,007.44 in 2016-17 Cash Capital, \$5,124.36 in 2017-18 Cash Capital, \$96,191.00 in anticipated reimbursements from Pure Waters authorized in Ordinance No. 2016-160 and hereby appropriated therefor, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$580,000 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 \$580,000. 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 Section 11.00 a. 20. of the Law, is fifteen (15) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, pay-able 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.

Resolution No. 2020-8
(Int. No. 10)

Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor

WHEREAS, a Project for the Northwest Highway Preventive Maintenance Group 5, P.I.N. 4CR0.02 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80 % Federal funds and 20% non-federal funds; and (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction and construction inspection services.

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

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

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of construction and construction inspection works for the Project or portions thereof;

THAT the sum of \$3,675,550 appropriated pursuant to Ordinance No. 2020- 7 plus the sum of \$580,000 appropriated pursuant to Ordinance No. 2020-8 are made available to cover the cost of participation in the above described phase of the Project;

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-9
Re: Grant Agreement – Eastman Trail Phase I

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation in regards to construction funding for the Eastman Trail Phase I project. This legislation consists of a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will:

1. Confirm that in Ordinance No. 2017-302 the City has appropriated the sum of \$1,400,000 for design, construction and inspection services for the project; and,
2. Commit the City to pay for the State-funded portion of the project in the first instance before seeking reimbursement from the State; and,
3. If applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This federal aid project will result in a new trail connection between the State’s planned Route 390 Trail in the west and Mt. Read Boulevard in the east along the Ridgeway Avenue corridor. It is a Federal Aid project that is administered by the City under agreement with the NYSDOT. Federal Aid will reimburse the City for 80% of eligible design and construction costs; local funds will support the balance.

Design services started in fall 2017 and construction is anticipated to begin in 2020 with scheduled completion in 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-7

Resolution No. 2020-9
(Int. No. 11)

Authorizing the implementation, and funding in the first instance 100% of the federal-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor

WHEREAS, a Project for Ridgeway Segment of the City of Rochester Eastman Trail, P.I.N. 4CR0.07 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80 % Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of design , construction and construction inspection services.

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

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

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of design, construction and construction inspection works for the Project or portions thereof;

THAT the sum of \$1,400,000 appropriated pursuant to Ordinance No. 2017-302 is available to cover the cost of participation in the above described phase of the Project;

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-9
Re: Agreement – Hunt Engineers, Architects, Land Surveyors, & Landscape Architect, D.P.C., High Falls Overlook Feasibility Study

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the High Falls Overlook Feasibility Study, a Phase 1 project of the ROC the Riverway initiative. This legislation will:

1. Appropriate \$150,000 in anticipated reimbursements from ROC the Riverway / Upstate Revitalization Initiative funding administered by the New York State Urban Development Corporation, doing business as Empire State Development (ESD); and,
2. Establish \$150,000 as maximum compensation for an agreement with Hunt Engineers, Architects, Land Surveyors, & Landscape Architect, D.P.C. (Daniel C. Bower, CEO 4 Commercial Street, Suite 300, Rochester, New York 14614) for the preparation of a feasibility study. The cost of the agreement will be financed by funds appropriated herein.

This project includes site feasibility planning and structural analysis related to developing the High Falls Overlook on the Genesee River. Consultants will prepare a study analyzing the suitability of using the former RG&E Station 4 as a scenic overlook, and public access routes to and from the overlook. Ordinance No. 2019-62 authorized an agreement with ESD to participate in, administer, and fund this project. The funding appropriated herein was awarded by the Honorable Governor Andrew Cuomo through the ROC the Riverway initiative.

Hunt Engineers, Architects, Land Surveyors, & Landscape Architect, D.P.C. was selected for the feasibility study through a request for proposal process, which is described in the attached summary. The agreement shall extend until three (3) months after the completion of the feasibility study.

The study will begin in early 2020 and will be complete in late 2020. The project will result in the creation and/or retention of the equivalent of 1.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-9
(Int. No. 12)

Authorizing funding and agreement for the High Falls Overlook Feasibility Study

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

Section 1. The sum of \$150,000 in anticipated reimbursements from the ROC the Riverway/Upstate Revitalization Initiative administered by Empire State Development is hereby appropriated to fund the High Falls Overlook Feasibility Study (the Study).

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Hunt Engineers, Architects, Land Surveyors & Landscape Architect, D.P.C. in the maximum amount of \$150,000 to conduct the Study. Said amount shall be funded by the reimbursements appropriated in Section 1 hereof. The term of the agreement shall continue to three months after completion of the Study.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-10
Re: Pavement Width and Traffic Flow Changes Sager Drive Improvement Project (Culver Road to East Boulevard)

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing the attached pavement width changes for the Sager Drive Improvement Project, and authorizing a change in direction of traffic flow on Sager Drive between Culver Road and East Boulevard from two-way to one-way eastbound.

Pavement width changes on Sager Drive from Culver Road to East Boulevard to include a variable increase from the existing 19 to 50-foot unimproved paved width to a proposed width of 18 to 55 feet for the creation of an 18-foot wide one-way travel lane and approximately 89 angled parking spaces measured 18.5 feet from the edge of the travel lane on both north and south sides of Sager Drive. The changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

In addition to pavement width and traffic flow changes, street improvements will include reconstruction of the existing pavement structure, driveway aprons, sidewalks and accessible curb ramps meeting ADA requirements, granite stone curbs, underdrain system, catch basins, manhole frames and covers, water main and service improvements, hydrant replacement, installation of telecommunication conduit, street lighting improvements, tree removals, installation of new street trees, pavement markings, and restoration of all disturbed lawn areas. These improvements will be in compliance with the City's Complete Streets Policy and enhance the surface drainage and riding quality of the roadway as well as improve accessibility, maximize on-street parking and expand the useful life of the pavement structure. The project is being designed by the City's Department of Environmental Services, Bureau of Architecture and Engineering.

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

Public meetings were held on August 30, 2018, January 9, 2019, May 15, 2019 and November 21, 2019. Copies of the meeting minutes are attached. The pavement width and traffic flow changes were endorsed by the Traffic Control Board at the December 4, 2019 meeting.

Construction is anticipated to begin in summer 2020 with substantial completion in fall 2020.

A public hearing on the pavement width and traffic flow changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-9

Ordinance No. 2020-10
(Int. No. 13)

Authorizing pavement width and traffic flow changes for Sager Drive between Culver Road and East Boulevard

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

Section 1. The Council hereby approves the following pavement width changes to Sager Drive between Culver Road and East Boulevard to include a variable increase from the existing 19 to 50-foot wide unimproved paved width to a proposed width of 18 to 55 feet in order to create an 18-foot wide one-way travel lane and approximately 89 angled parking spaces that extend 18.5 feet from the edges of both the northern and southern sides of said travel lanes.

Section 2. The Council hereby approves a change in the direction of the traffic on Sager Drive between Culver Road and East Boulevard from two-way to one-way eastbound.

Section 3. The changes approved herein shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-11
Re: Agreement – Town of Brighton, Chip Seal and/or Mill and Paving of City Streets Adjacent to Town of Brighton Boundary

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation which will authorize an inter-municipal agreement with the Town of Brighton to allow the Town of Brighton to chip seal and/or mill and pave certain sections of roadways located within the City of Rochester adjacent to the Town of Brighton boundary.

The Town of Brighton has requested this agreement so that when street rehabilitation projects are performed, the short street segments located within the City of Rochester (to the nearest intersection) are not left unpaved.

Compensation is estimated to be a maximum of \$30,000 annually. The cost of the agreement will be funded from the annual Cash Capital allocations of the Department of Environmental Services designated for this purpose. The term of the agreement is three (3) years and will be extended for an additional one (1) year term if both parties agree.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-10

Ordinance No. 2020-11
(Int. No. 14)

Authorizing an intermunicipal agreement with the Town of Brighton for the chip seal and/or mill and paving of City streets adjacent to the Town’s street rehabilitation projects

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the Town of Brighton for the Town to chip seal and/or mill and pave sections of City streets that are adjacent to the Town’s street rehabilitation projects, on street segments generally extending from the Town boundary to the next intersection within the City.

Section 2. The agreement shall have a term of three years with the option to extend for one additional year upon mutual agreement. The agreement shall have a maximum annual compensation of \$30,000, which shall be funded by Cash Capital allocations designated for this purpose for 2019-20 and subsequent fiscal years, contingent upon the approval of the allocations within subsequent years’ Cash Capital budgets.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-12
Re: Agreement – C & S Architects, Engineers, & Landscape Architect, PLLC, Pedestrian Safety Action Plan – Phase III Project

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation establishing \$486,000 as maximum compensation for an agreement with C & S Architects, Engineers, & Landscape Architect, PLLC (John Trimble, CEO), 150 State Street, Suite 120, Rochester, New York 14614, for engineering and design services related to the Pedestrian Safety Action Plan – Phase III Project.

Funding for this project was appropriated by City Council in December 2019 (Ordinance No. 2019-369). The cost of this agreement will be entirely funded by Federal Highway Administration program funds administered by the New York State Department of Transportation.

This project entails installation of pedestrian safety treatments at hundreds of signalized intersections and midblock crosswalks throughout the city. Treatments include, but are not limited to, upgraded pavement markings, improved signage, traffic signal modifications, curb extensions, raised crosswalks, and pedestrian-activated rectangular rapid flashing beacons.

C & S Architects, Engineers, & Landscape Architect, PLLC was selected through a request for proposal process described in the attached summary. The agreement shall extend until three (3) months after acceptance of the project construction.

Design services will begin in February 2020. Construction is anticipated to begin in spring 2021. The project will result in the creation and/or retention of the equivalent of 5.3 full time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-12
(Int. No. 15)

Authorizing an agreement for the Pedestrian Safety Action Plan Phase III project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with C & S Architects, Engineers & Landscape Architect, PLLC in the maximum amount of \$486,000 to provide engineering and design services for the Pedestrian Safety Action Plan Phase III project (the Project). The compensation amount shall be funded from anticipated reimbursements from the Federal Highway Administration appropriated to the Project in Ordinance No. 2019-369. The term of the agreement shall continue to three months after acceptance of the Project construction.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-13
Resolution No. 2020-10
Re: Agreement – Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., Rochester Running Track Bridge Improvements – Phase I

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Rochester Running Track Bridge Improvements Phase 1 project. The legislation will:

1. Appropriate \$90,000 in anticipated reimbursements from ROC the Riverway/Upstate Revitalization Initiative funding administered by the New York State Department of Transportation (NYSDOT) to finance the engineering and design of the project; and,
2. Authorize an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro Giovenco, P.E., President and CEO, Principal - Rochester, NY) for \$120,000 which will be funded with \$90,000 of anticipated reimbursements appropriated herein and \$30,000 of 2018-19 Cash Capital; and,
3. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City’s prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

The project includes preventive maintenance repairs to structural stabilize and preserve the existing Running Track Bridge over the Genesee River. Stabilization of the bridge will halt deterioration and ensure that it is preserved for a permanent conversion of the structure to a multi-use trail facility in a future phase.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. was selected to provide inspection, structural engineering and construction oversight services for the project through a request for proposal process. The agreement shall extend until three (3) months after the completion of the two (2) year guarantee inspection of the project.

Design services will begin in early 2020 with construction anticipated to begin in 2021. The design will result in the creation and/or retention of the equivalent of 1.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-11

Ordinance No. 2020-13
(Int. No. 16)

Authorizing funding and agreement for the Rochester Running Track Bridge Improvements Phase 1 project

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

Section 1. The sum of \$90,000 in anticipated reimbursements from the ROC the Riverway/Upstate Revitalization Initiative funding administered by the New York State Department of Transportation (NYSDOT) is hereby appropriated to fund a portion of the cost of the Rochester Running Track Bridge Improvements Phase 1 project (the Project).

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. in the maximum amount of \$120,000 to provide engineering and design services for the Project. Said amount shall be funded in the amounts of \$90,000 from the NYSDOT reimbursements appropriated in Section 1 hereof and \$30,000 in 2018-19 Cash Capital. The term of the agreement shall continue to three months after completion of a two-year guarantee inspection of the Project.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2020-10
(Int. No. 17)

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

WHEREAS, a Project for ROC the Riverway-Running Track Bridge, PIN 4RTR.01 (the "Project") is eligible for funding under a New York State Program administered by the NYS Department of Transportation (NYSDOT);

WHEREAS, a sum not to exceed \$90,000 in Program funding is available to progress the Project; and

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

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

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

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

THAT the sum of \$90,000 appropriated pursuant to Ordinance No. 2020-13 is available to cover the cost of participation in the above described phase of the Project;

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

By Vice-President Lightfoot
January 21, 2020

To the Council:

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

- Int. No. 18 Authorizing the receipt and use of United States Department of Justice funds to investigate organized narcotics trafficking and violence
- Int. No. 19 Authorizing an intermunicipal agreement and funding for the STOP DWI Program
- Int. No. 20 Authorizing an intermunicipal agreement and funding for the DWI Crackdown Weekend Enforcement Grant
- Int. No. 21 Authorizing an agreement for emergency ambulance services
- Int. No. 22 Authorizing a grant agreement and funding for Maguire Building improvements

Respectfully submitted,
Willie J. Lightfoot
Mitch Gruber
LaShay D. Harris
Jacklyn Ortiz
Loretta C. Scott
PUBLIC SAFETY YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-14
Re: Receipt and Use of Funds from United States Department of Justice

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation for the receipt and use of \$12,000 from the United States Department of Justice, United States Attorney, Organized Crime Drug Enforcement Task Force, and amending the 2019-20 Budget of the Police Department by this amount.

The United States Department of Justice is providing \$12,000 as part of a joint investigation targeting an organization involved in trafficking narcotics and violence in the City of Rochester. These funds do not include fringe benefits, which are estimated to be \$3,815.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-14
(Int. No. 18)

Authorizing the receipt and use of United States Department of Justice funds to investigate organized narcotics trafficking and violence

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 Justice for the receipt and use of \$12,000 for the Police Department to participate in a joint investigation targeting an organization involved in narcotics trafficking and violence in the City of Rochester.

Section 2. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by the sum of \$12,000, which amount is hereby appropriated from the Department of Justice funds authorized in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-15
Agreement – Monroe County, STOP DWI Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of \$133,600 for the 2020 STOP DWI Program, and amending the 2019-20 Budget of the Police Department (\$68,000) and Undistributed Expenses (\$16,700) to reflect a portion of this grant. The remaining funds will be included in the 2020-21 Budget of the Police Department.

The grant funds will be used for enhanced detection and enforcement of driving while intoxicated and related offenses for the 2020 calendar year. Supported activities include expenses for STOP DWI overtime details and associated fringe costs, supplies, equipment, training, breathalyzer calibration, and underage alcohol enforcement.

The term of this grant is January 1, 2020 through December 31, 2020. The previous STOP DWI grant was authorized via Ordinance 2018-345. No matching funds are required. The City has received this grant for more than ten years.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-15
(Int. No. 19)

Authorizing an intermunicipal agreement and funding for the STOP DWI 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 intermunicipal agreement with the County of Monroe for the City’s receipt and use of \$133,600 in New York State funding for the 2020 STOP DWI Program. The term of the agreement shall be one year.

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

Section 3. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$68,000 and the Budget of Undistributed Expenses by \$16,700, both of which are from reimbursements to be received pursuant to the grant agreement authorized in Section 1 hereof.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-16
Agreement – Monroe County, DWI Crackdown Weekend Enforcement Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of up to \$4,700 for the 2019-20 STOP DWI Foundation, Inc. Crackdown Weekend Enforcement grant, and amending the 2019-20 Budget of the Police Department by \$2,400 to reflect a portion of this grant. The remaining funds will be included in the 2020-21 Budget of the Police Department.

The grant funds will be used to pay for overtime for police officers and, as necessary for police experts to detect drug abuse in drivers during Memorial Day, Fourth of July and possibly Labor Day holiday crackdowns. This grant does not allow fringe expenses, estimated at \$1,470.

The term of this grant is October 1, 2019 through September 30, 2020. This is the seventh time the City has received this grant.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-16
(Int. No. 20)

Authorizing an intermunicipal agreement and funding for the DWI Crackdown Weekend Enforcement 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 intermunicipal agreement with the County of Monroe for the receipt and use of the 2019-20 STOP DWI Foundation, Inc. Crackdown Weekend Enforcement Grant in the amount of \$4,700. The term of agreement shall be one year.

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

Section 3. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$2,400 received under the grant agreement authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-17
Agreement – National Ambulance & Oxygen Service, Inc. d/b/a American Medical Response (“AMR”)

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with AMR for the provision of emergency ambulance services. This agreement will have an initial term of four years, from April 1, 2020 through March 31, 2024 with provision for two renewals of one year each.

Background – 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 March 31, 2020. Emergency ambulance service is a key component of the health care system in the City. The average number of requests annually for the past three years is 66,171.

RFP Development - An inter-departmental task force was formed to prepare and issue a request for proposals (RFP) and to subsequently review the proposals. The members of the task force included: the Deputy Mayor, the Fire Chief, a Deputy Fire Chief, Fire Department Staff members, the City Medical Director the Deputy Director of Emergency Communications, the Deputy Chief of Police/Operations, City Council Chief of Staff, City Council Vice President, the Budget Director, a Municipal Attorney, and the Budget Analyst for the Fire Department.

Factors identified by the task force as critical for inclusion in the RFP were: approach to system design; responses to background and service area summary; program responsibilities; clinical and employment practices; financial and administrative provisions; past experience of provider and key personnel; and references.

The RFP was posted on the City website on September 30, 2019, and two ambulance companies were notified directly: Monroe Ambulance (“Monroe”), and AMR. Proposals were received from Monroe Ambulance and AMR. Both Monroe and AMR were invited to give an oral presentation to the task force, introduce key personnel, provide a tour of the company premises, and show available equipment. Monroe declined the opportunity.

Review Summary - In most of the key areas cited in the RFP, Rural/Metro and Monroe were not judged as comparable. While both companies agreed to conform to all of the RFP requirements, (including: appropriate staffing of both Advanced Life Support and Basic Life Support ambulance units; response time performance standards; providing the necessary vehicles, supplies and equipment; vehicle preventive maintenance system and vehicle repairs; use of the Rochester Emergency Communications Department (ECD) to monitor all vehicular movements; connecting their computer aided dispatch system to ECD for recording of response data), Monroe’s response lacked sufficient information and detail to determine the extent of their operations and their ability to perform services pursuant to a contract with the City.

Both companies require pre-employment drug testing. And while neither requires random drug testing throughout employment, they require testing if there is reasonable suspicion to suspect drug usage or when an employee is involved in a motor vehicle accident.

Neither party agreed outright to pay the required \$300,000 annual fee in their proposal. Monroe outright declined to pay the annual fee. AMR explained that the annual fee was not sustainable due to elimination by New York State of the supplemental Medicaid payment program and loss of Medicare crossover payments. However, AMR is open to negotiation, and has presented an alternative use of the annual fee to expand its existing Nurse Navigation program to the City. Nurse Navigation explores opportunities to utilize alternative care paradigms instead of automatic ambulance dispatch for less acute patients. Neither company has been the subject of any recent state sanctions or complaints.

Considerations - The proposal from Monroe Ambulance was well regarded by the task force for several reasons: the firm has been located in the city for many years; provided competent emergency ambulance service to other municipalities in the Rochester metropolitan area (though none as large as the City); key personnel have extensive local experience in the ambulance business; commitment to high medical standards and resolution of medical complaints.

The recommending attributes for AMR include: accredited by the Commission on Accreditation of Ambulance Services (CAAS); part of a large national ambulance company; demonstrated commitment to a diverse workforce; competent performance under the current City contract; ability to adjust to contract requirements as needed; ability to draw resources from Buffalo and Syracuse if needed in an emergency; provide an EMT academy for city residents; staff the tactical medical unit working in conjunction with the Rochester Police Department SWAT team. AMR also has a superior initial deployment plan, which includes increasing ambulances to be deployed at peak times. AMR consistently monitors and updates their deployment practices.

Rates - The internal rates of both companies are misleading since they could apply to only a very small percentage of patients - i.e., those without insurance coverage. Payments for most ambulance services are set by the government through Medicare/Medicaid or through agreements by insurers with the ambulance companies.

As a result of our discussions and irrespective of the internal company rates, services rendered under this agreement will be paid for by private insurance companies at their negotiated rate, government insurance programs at their pre-determined rate or, if the recipient is uninsured, at the Medicare rate.

AMR will be required to clearly display their willingness to accept the Medicare allowable charge as payment in full for the uninsured on their billing statements. The Medicare rates for 2020 are listed in the attachment.

Conclusion - The City was fortunate to receive two proposals, and the decision to recommend AMR was not an easy one. Based on a thorough review of the written proposals, oral presentations, and site visits, the task force has concluded that the benefits of continuing with AMR outweigh the risks of changing providers at this time. AMR's accreditation, their deployment plan, and their familiarity with providing service in the city were deciding factors; continuing with AMR will provide for uninterrupted service delivery.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-12

Ordinance No. 2020-17
(Int. No. 21)

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 agreement with National Ambulance & Oxygen Service, Inc. d/b/a American Medical Response (hereinafter, AMR) for the provision of emergency ambulance services within the City, when the City requests ambulance services, or when the City receives a request for ambulance services through 911, and for the provision of standby services at emergency scenes and special events. The agreement shall provide for both basic life support (BLS) and advanced life support (ALS) services to be provided in accordance with certain response time parameters. The agreement shall provide that the rates to be accepted from individual payees shall not exceed the applicable Medicare, Medicaid, or usual and customary rates from other payers for such services and that AMR shall accept the Medicare allowable charge as payment in full for the uninsured. The agreement shall specify penalties for failure to meet agreement requirements. The agreement shall extend for a term of four years, with two renewal options of one year each.

Section 2. The agreement shall obligate AMR to pay to the City an annual franchise fee and/or to provide to the City some additional service or program, to partially offset the City costs of providing first responder services.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes- President Scott, Councilmembers Evans, Gruber, Lightfoot, Lupien, Ortiz, Patterson, Peo -8.

Nays – None-0.

Councilmember Harris abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-18
Re: Grant Agreement, Rochester Area Community Foundation

Council Priority: Creating and sustaining a culture of vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods/Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the Rochester Community and Youth Sports Complex. This legislation will:

1. Authorize the receipt and use of a \$460,000 grant from the Rochester Area Community Foundation for proposed improvements to the Maguire Building located at Rochester Community and Youth Sports Complex (460 Oak Street, Rochester, NY 14608). The term of the agreement is from October 1, 2019 to December 31, 2020; and
2. Amend the 2019-20 Cash Capital Budget of the Department of Recreation and Youth Services by \$460,000 to reflect the grant.

This is the first time the City has received this funding. The grant will be administered through the Rochester Area Community Foundation on behalf of the Ralph C. Wilson, Jr. Foundation. The funds will be used to renovate the 25,000 sq. ft. Maguire Building, making it the only publicly managed indoor sports complex within City limits. Renovations include installation of an indoor turf, basketball court, and weight room; restroom improvements to meet building and ADA requirements; improvements to the existing training classroom; fire alarm updates; exit/egress updates; additional equipment storage; and structural/mechanical improvements as needed.

Final design is anticipated to begin in Spring 2020 and construction is anticipated to begin in Winter 2020. The City intends to acquire the Maguire Building, which is currently owned by the Rochester Economic Development Corporation, prior to the construction project.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-18
(Int. No. 22)

Authorizing a grant agreement and funding for Maguire Building improvements

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 Rochester Area Community Foundation for the receipt and use of funding in the amount of \$460,000 for improvements to the Maguire Building located at 448 Smith Street near the Rochester Community and Youth Sports Complex. The term of agreement shall be 15 months.

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

Section 3. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended to increase the 2019-20 Cash Capital allocation in the amount of \$460,000 to reflect the funds appropriated in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes- President Scott, Councilmembers Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo -8.

Nays – None-0.

Councilmember Evans abstained due to a professional relationship.

By President Scott
January 21, 2020

To the Council:

The **COMMITTEE OF THE WHOLE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 30 Approving appointments to the Police Accountability Board

The **COMMITTEE OF THE WHOLE** recommends the following entitled legislation to be **HELD** in committee:

Int. No. 28 Resolution confirming the appointment of the Chief Technology Officer

Respectfully submitted,
Malik Evans
Mitch Gruber
LaShay D. Harris
Mary Lupien
Jacklyn Ortiz
Michael A. Patterson
Jose Peo
Willie J. Lightfoot
Loretta C. Scott
COMMITTEE OF THE WHOLE

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-11
Re: Appointment – Police Accountability Board

Transmitted herewith for your approval is legislation to approve the inaugural Police Accountability Board (PAB) as established by Local Law 2019-2, and affirmed through referendum vote on Election Day, November 5, 2019.

The PAB shall consist of 9 community members and each shall serve an initial term to expire on June 30, 2020. After the initial term, Board membership will be staggered. Board members were selected as follows: 4 members nominated by the Council with one residing within each of the four Council Districts, 4 nominated from names submitted by the Police Accountability Board Alliance (PABA), and 1 nominated by the Mayor.

Those selected to serve on the PAB are as follow:

Seat	Name	Address
Council East	Dr. Robert Harrison III	91 Berkeley St. Rochester, NY 14607
Council Northeast	Ida Perez	123 Scrantom St. Rochester, NY 14605
Council Northwest	Rabbi Drorah Setel	339 Seneca Parkway Rochester, NY 14613
Council South	Rev. Matthew Nickoloff	360 Linden St. Rochester, NY 14620
PABA Seat 1	Jonathan Dollhopf	36 Rugby Ave. Rochester, NY 14619
PABA Seat 2	Miquel Powell	446 Alexander St. Apt. 3 Rochester, NY 14605
PABA Seat 3	Shani Wilson	1 Pleasant St. Apt. 506 Rochester, NY 14604
PABA Seat 4	Dr. Celia McIntosh	108 Merrill St. Rochester, NY 14615
Mayoral	Rev. Dr. Rickey B. Harvey	80 Alameda St. Rochester, NY 14613

Resumes of the above appointees are on file with the City Clerk.

Respectfully Submitted,

Loretta C. Scott President	Willie J. Lightfoot Vice President	Malik D. Evans Councilmember
Mitch Gruber Councilmember	LaShay D. Harris Councilmember	Mary Lupien Councilmember
Jacklyn Ortiz Councilmember	Michael A. Patterson Councilmember	Jose Peo Councilmember

Resolution No. 2020-11
(Int. No. 30)

Approving appointments to 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 to the Police Accountability Board of the following person appointed by the Mayor for a term that shall expire on June 30, 2020:

Name	Address
Rev. Dr. Rickey B. Harvey	80 Alameda St. Rochester 14613

Section 2. The Council hereby appoints to the Police Accountability Board the following persons, one for each of the four City Council Districts specified, each for a term that shall expire on June 30, 2020:

Name	Address (City Council District)
Ida Perez	123 Scrantom St., Rochester 14605 (Northeast)

Dr. Robert Harrison III	91 Berkeley St., Rochester 14607	(East)
Rev. Matthew Nickoloff	360 Linden St., Rochester 14620	(South)
Rabbi Drorah Setel	339 Seneca Parkway, Rochester 14613	(Northwest)

Section 3. The Council hereby appoints to the Police Accountability Board the following persons nominated by the Police Accountability Board Alliance, each for a term that shall expire on June 30, 2020:

Name	Address
Jonathan Dollhopf	36 Rugby Ave., Rochester 14619
Miquel Powell	446 Alexander St. Apt. 3, Rochester 14605
Shani Wilson	1 Pleasant St. Apt. 506, Rochester 14604
Dr. Celia McIntosh	108 Merrill St., Rochester 14615

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 28
Re: Confirmation of the Chief Technology Officer

Transmitted herewith for your approval is legislation confirming, as required by the City Charter, the appointment of Albert J. Gauthier as Chief Technology Officer for the Department of Information Technology.

Albert J. Gauthiers' resume is on file in the City Clerk's Office.

Respectfully submitted,
Lovely A. Warren
Mayor

RESOLUTION CONFIRMING THE APPOINTMENT OF THE CHIEF TECHNOLOGY OFFICER

WHEREAS, the Mayor has appointed Albert J. Gauthier to the position of Chief Technology Officer to head the Information Technology Department, subject to confirmation by the City Council, and

WHEREAS, Council has reviewed the qualifications of the appointee and determined that he has the ability and qualifications to execute the duties and responsibilities of the office.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Rochester hereby confirms the appointment of Albert J. Gauthier as Chief Technology Officer.

This resolution shall take effect immediately.

HELD IN COMMITTEE.

The meeting was adjourned at 8:01 p.m.

HAZEL L. WASHINGTON
City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

February 18, 2020

Present –President Scott, Councilmembers Evans, Gruber, Lightfoot, Lupien, Ortiz, Patterson, Peo – 8.

President Scott requested the Council to rise for a Moment of Silence.

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

Special Recognition:

League of Women Voters -100th Anniversary
Ronald McDonald House Charities – 30th Anniversary

Retirement:

DES:

*Donna Alloco
*Teresa McEntee
*Anthony Nelson

ECD:

*Albert H. Klopf

NBD:

*Matthew McCarthy

RPD:

*Leonard Carfley III
*Steven E. Rice
*Aaron Springer
*Timothy Wright

RPL:

*Margaret Paris

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Evans

RESOLVED, that the minutes of the Organizational Meeting on January 2, 2020 and the Regular Meeting on January 21, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

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

Quarterly Reports – NBD Loan and Grant Report – December 31, 2019 – 4322-20
Quarterly Reports – Schedule of Revenue and Expenditures – December 31, 2019 – 4323-20

The Council submits Disclosure of Interest Forms from Councilmember Gruber on Int. No. 56, Councilmember Harris on Int. No. 61, Int. No. 63 and Int. No. 64.

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

-None Presented

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Evans
February 18, 2020

To the Council:

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

- Int. No. 31 Authorizing an amendatory agreement for independent legal counsel
- Int. No. 32 Amending Bond Ordinances of the City of Rochester, New York
- Int. No. 33 Authorizing an agreement for a supervisory skills training program
- Int. No. 34 Authorizing an agreement for computer training services
- Int. No. 35 Authorizing an agreement for the 2020 Rochester International Jazz Festival
- Int. No. 36 Authorizing an agreement for the Gus Macker 3-on-3 tournament
- Int. No. 37 Authorizing an amendatory booking and production services agreement for the 2020 Roc Summer Soul Music Festival
- Int. No. 38 Authorizing an amendatory agreement to provide for sound, lighting, staging, and power production services for the 2020 Roc Summer Soul Music Festival
- Int. No. 63 Amending Bond Ordinance No. 2020-3 to finance the costs of improvements to specified City School District schools
- Int. No. 64 Amending Bond Ordinance No. 2018-381 to finance the costs of improvements to specified City School District Schools

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-19
Re: Amendatory Agreement – Emery, Celli, Brinkerhoff & Abady, LLP – Legal services relating to PAB

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an amendatory agreement with Emery, Celli, Brinkerhoff & Abady, LLP, New York, NY (principal –Andrew Celli) for legal services relating to the pending lawsuit regarding the Police Accountability Board (PAB) legislation.

The original agreement for \$50,000 was authorized by Ordinance 2019-113 for general legal counsel regarding the PAB legislation. This amendment will increase total compensation to \$100,000. This amendatory agreement will be funded by the 2019-20 Budget of the City Council and Clerk.

A justification statement for awarding an agreement without a request for proposals is attached.

Respectfully submitted,
Loretta C. Scott
President

AT-13

Ordinance No. 2020-19
(Int. No. 31)

Authorizing an amendatory agreement for independent legal counsel

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

Section 1. Pursuant to City Charter § 5-21(D), the Council President is hereby authorized to enter into an amendatory professional services agreement with Emery Celli Brinckerhoff & Abady LLP to continue to provide independent legal counsel relating to the establishment and operation of a police accountability board. The maximum compensation for the agreement originally authorized in Ordinance 2019-113 is hereby increased by \$50,000 to a total amount of \$100,000. The amendatory compensation amount shall be funded from the 2019-20 Budget of City Council and Clerk.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-20
Re: Rescinding Authorization of Previous Bonds

City Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation requesting the deauthorization of specific Bond Authorizations. The funds are no longer needed for the specific projects because the actual costs were less than originally estimated. The ordinances to deauthorize are:

<u>Ordinance</u>	<u>Original Authorization</u>	<u>Amount to Deauthorize</u>	<u>Original Project</u>
2013-334	\$ 300,000	\$175,000	Water –Midtown Redevelopment
2015-044	300,000	18,000	Street -Driving Pk Bridge Prev Maint
2015-045	600,000	147,000	Bridge –Driving Pk Bridge Prev Maint
2015-233	223,000	21,000	Library –Rundel Memorial Building
2015-363	200,000	30,000	Edgerton Park Rec Center
2016-053	158,000	34,000	HVAC at City’s Indoor Pistol Range
2016-197	252,000	18,000	Street -2016 Prev Maint Group #2
2016-207	440,000	1,000	Street –Center City Two Way Conv
2016-272	650,000	89,000	Street -2016 Prev Maint Group #3
2016-311	165,000	19,000	Water -2016 Kilmar St Group
2016-340	1,111,000	155,000	Street –Cobbs Hill Dr Reconstruction
2016-341	236,000	24,000	Water –Cobbs Hill Dr Reconstruction
2016-345	261,000	24,000	Street –Street Lighting Upgrades
2016-378	78,000	22,000	Water -2016 RMR Program Phase I
2017-034	331,000	176,000	Street -2017 Prev Maint Group 5
2017-039	185,000	14,000	Campbell Rec Center Water Park
2017-095	65,000	27,000	CVMF Bldg Heat Recovery Unit
2017-183	102,000	3,000	Water –Flower City Pk & Parkdale Ter
2017-336	352,000	112,000	GVP Sewage Pump Station Replace
2018-238	327,000	22,000	Street –Street Lighting Upgrades

The “amount to deauthorize” referenced above are the authorized, unissued amounts remaining on the specific Bond Authorizations. The amounts to be deauthorized were provided to the Finance Director’s Office by the Department of Environmental Services. The purpose of the deauthorizations is to allow for the allocation of the funds no longer needed for the current projects to be allocated towards future projects, and thereby remain within each annual debt limit established by Council Ordinance.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-20
(Int. No.32)

Amending Bond Ordinances of the City of Rochester, New York

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 directed to reduce the principal amounts of bonds of the City that were authorized to be issued in prior Bond Ordinances as follows:

Ordinance No.	Original Authorization	Amended Authorization	Project
2013-334	\$ 300,000	\$125,000	Water –Midtown Redevelopment
2015-044	300,000	282,000	Street -Driving Pk Bridge Prev Maint
2015-045	600,000	453,000	Driving Pk Bridge Prev Maint
2015-233	223,000	202,000	Library –Rundel Memorial Building
2015-363	200,000	170,000	Edgerton Park Rec Center
2016-053	158,000	124,000	HVAC at City’s Indoor Pistol Range
2016-197	252,000	234,000	Street -2016 Prev Maint Group #2
2016-207	440,000	439,000	Street –Center City Two Way Conv
2016-272	650,000	561,000	Street -2016 Prev Maint Group #3
2016-311	165,000	146,000	Water -2016 Kilmar St Group
2016-340	1,111,000	956,000	Street –Cobbs Hill Dr Reconstruction
2016-341	236,000	212,000	Water –Cobbs Hill Dr Reconstruction
2016-345	261,000	237,000	Street –Street Lighting Upgrades
2016-378	78,000	56,000	Water -2016 RMR Program Phase I
2017-034	331,000	155,000	Street -2017 Prev Maint Group 5
2017-039	185,000	171,000	Campbell Rec Center Water Park
2017-095	65,000	38,000	CVMF Bldg Heat Recovery Unit
2017-183	102,000	99,000	Water –Flower City Pk & Parkdale Ter
2017-336	352,000	240,000	GVP Sewage Pump Station Replace
2018-238	327,000	305,000	Street –Street Lighting Upgrades

Section 2. For each amended Bond Ordinance listed above, the City shall remain authorized to issue bonds to finance the project specified therein with bonds in a principal amount equal to the Amended Authorization amount and the financing shall proceed in all other respects in accordance with the provisions specified therein.

Section 3. 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:

Re: Ordinance No. 2020-21
Agreement – The Jackman Group, LLC. Supervisory Skills Training Programs

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$170,000 as maximum compensation for an agreement with The Jackman Group, LLC. (Patrick Jackman, Principal) of Brockport, New York, for the design and delivery of a supervisory skills training program for approximately 150 City

employees hired or promoted into first and second line supervisory positions and a series of professional development workshops to serve as a next-level of supervisory skills training for supervisors who have completed the initial supervisor skills training program. The term of the agreement will be for three (3) years and will be funded from the 2019-20 (\$28,334), 2020-21 (\$56,666), 2021-22 (\$56,666) and 2022-23 (\$28,334) Budgets of Undistributed Expenses, contingent upon approval of future budgets.

Since 2012, the City has required all employees in first and second line supervisory positions to complete supervisor skills training. To date, 281 employees have completed this training.

Training modules include, but are not limited to, leadership development, supervising a diverse team/workforce, effective time management, delegating, decision-making and problem-solving, coaching for supervisors, effective communication, developing high performing employees, establishing and achieving desired performance goals, and assessing employee performance and development. In addition, employees within this program will receive training by City staff on relevant City policies and procedures of labor relations, grievance and disciplinary procedures, sexual harassment and workplace violence, employee safety, civil service.

This will be the first time that The Jackman Group, LLC. has provided this service for the City and were selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-14

Ordinance No. 2020-21
(Int. No. 33)

Authorizing an agreement for a supervisory skills training program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with The Jackman Group, LLC for the design and delivery of a supervisory skills training program. The maximum compensation for the agreement shall be \$170,000, which shall be funded by \$28,334 from the 2019-20 Budget of Undistributed Expenses, \$56,666 from the 2020-21 Budget of Undistributed Expenses, \$56,666 from the 2021-22 Budget of Undistributed Expenses, and \$28,334 from the 2022-23 Budget of Undistributed Expenses, contingent upon the latter three budgets' approval. The term of the agreement shall be three years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-22
Re: Agreement – Logical Operations, Inc., Computer Training Services

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$52,500 as total maximum compensation for an agreement with Logical Operations, Inc., (Zev Rosenthal, CEO) of Rochester, New York, to provide in-class computer training for City employees. The term of the agreement will be for three (3) years and will be funded from the 2019-20 (\$8,750), 2020-21 (\$17,500), 2021-22 (\$17,500) and 2022-23 (\$8,750) Budgets of Undistributed Expenses, contingent upon approval of future budgets.

Logical Operations, Inc. has provided computer training to City staff since 2010 and is the only local vendor that provides instructor led, on-site customized computer training classes, and is therefore a local sole-source provider of these services. Training topics include multiple levels of Microsoft Office applications, e.g., Excel, Power Point and Outlook as well as Adobe Photoshop. Participants receive a training book with detailed lessons of the class and also have access to a variety of online training resources during and following completion of the classes. Participants are also allowed a second training class on the same topic free of charge within six months of their original training.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-15

Ordinance No. 2020-22
(Int. No. 34)

Authorizing an agreement for computer training 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 Logical Operations, Inc. to provide computer training to City employees. The agreement shall have a three year term. The maximum total compensation for the agreement shall be \$52,500. The cost of the agreement shall be funded in the amounts \$8,750 from the 2019-20 Budget of Undistributed Expenses, \$17,500 from the 2020-21 Budget of Undistributed Expenses, \$17,500 from the 2021-22 Budget of Undistributed Expenses, and \$8,750 from the 2022-23 Budget of Undistributed Expenses, contingent upon approval of the latter three budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-23
Agreement - Rochester International Jazz Festival

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$243,000 as the annual maximum compensation for an agreement with Rochester International Jazz Festival LLC (principal: Marc Iacona) to designate the City of Rochester as the lead government sponsor of the 2020 Rochester International Jazz Festival (RIJF). The cost of this agreement will be funded from the 2019-20 Budget of the Bureau of Communications. The term of the agreement is one year.

The 19th annual festival will be held June 19- June 27 and will include more than 347 shows at 19 diverse indoor and outdoor city venues within walking distance of each other in the East End Cultural District. The City’s contribution to the festival will underwrite free, outdoor events, including 14 headliner shows that take place on the weekends during the festival at the East Avenue and Chestnut Street stage, Parcel 5 stage, and more than 35 regional and local shows that take place daily on the Jazz Street (Gibbs Street) stage. The Jazz Street stage includes performances by local high schools and continuing education music programs. The festival also provides an additional 30 free performances, jam sessions, and children’s workshops in both indoor and outdoor venues throughout the course of the nine days. These events are designed to attract approximately 15,000-25,000 visitors each night of the festival. In the last few years, overall festival attendance estimates have been close to 200,000.

In addition to the direct city funding, the Rochester International Jazz Festival LLC will be given the opportunity to generate additional revenue to support the free public performances by offering its sponsors advertising opportunities on nearby City assets through the City’s pilot asset advertising program. The festival will work closely with the City’s Advertising Committee for approval on each potential advertisement and the subsequent terms of the sales. The festival will be required to remit 50% of each advertisement that it sells back to the City.

In 2019, 2018, and 2017, City Council approved agreements with the festival in each year for \$243,000 in direct funding. In 2016 and 2015, City Council approved agreements with the festival for \$175,000 in direct funding and \$68,000 in in-kind services.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-16

Ordinance No. 2020-23
(Int. No. 35)

Authorizing an agreement for the 2020 Rochester International Jazz Festival

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 Rochester International Jazz Festival LLC to designate the City as the lead government sponsor for the 2020 Rochester International Jazz Festival. The maximum compensation for the agreement shall be \$243,000, which shall be funded from the 2019-20 Budget of the Bureau of Communications. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-24
Re: Agreement – Gus Macker 3-on-3 Rochester Youth Sports Foundation

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with Rochester Youth Sports Foundation (president: Anthony Jordan) to produce the fourth annual Gus Macker 3-on-3 basketball tournament in Downtown Rochester. The cost of this agreement will be financed from the 2019-20 Budget of the Bureau of Communications. The term will be for one year.

The Gus Macker 3-on-3 basketball tournament is a national tournament that began in 1987. The Tournament is designed so anyone can play: men, women, adults, and youth, experienced, or not experienced. Since 1987, more than 2.2 million players, and more than 23 million spectators have enjoyed watching this driveway-style, outdoor basketball tournament. Last year, the tournament drew more than 170 teams and 7,000 spectators. The event features more than just basketball- it produces family fun in a festival atmosphere with a youth entertainment stage and food vendors.

This is the fourth year the Gus Macker tournament will be held in Rochester. It will take place Downtown on June 13-14, 2020 near the corner of Court and Exchange streets.

The City’s investment helps to cover, among other items, equipment costs, security, police services, and other site infrastructure items. The City will be recognized as a presenting sponsor on all marketing materials and the investment will also allow for 15 city-based teams to enter the tournament free of charge.

In addition to the direct city funding, the Rochester Youth Sports Foundation will be given the opportunity to generate additional revenue to support the event by offering its sponsors advertising opportunities on nearby City assets through the City’s pilot asset advertising program. The event will work closely with the City’s Advertising Committee for approval on each potential advertisement and the subsequent terms of the sales, and will be required to remit 50% of each advertisement that it sells back to the City.

City Council approved \$50,000 in funding for the event in 2019, 2018, and 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-17

Ordinance No. 2020-24
(Int. No. 36)

Authorizing an agreement for the Gus Macker 3-on-3 tournament

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 in the maximum amount of \$50,000 with the Rochester Youth Sports Foundation to support the 2020 Gus Macker 3-on-3 basketball tournament in downtown Rochester. Said amount, or so much thereof as may be necessary, shall be funded from the 2019-20 Budget of the Bureau of Communications. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-25
Amendment- Xperience Live LLC

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending a current agreement with Xperience Live LLC (principal: Varick Baiyina), National Harbor, Maryland, from \$200,000 to \$225,000 to book additional regional artists and produce an enhanced version of the Roc Summer Soul Music Festival for its 25th anniversary in 2020. The cost of this amendment will be financed from the 2020-21 Budget of the Bureau of Communications, pending approval.

The original agreement with Xperience Live authorized in December 2017 via ordinance 2017-383 provided a maximum annual compensation of \$200,000. It had a term of one year with four, one year renewal options. We are currently in the third year of the agreement. This \$25,000 amendment to the agreement will be a one-time occurrence that will help to create a special celebration for the event's 25th anniversary.

The festival will take place at Frontier Field on August 28 and 29. Night one will feature local and regional talent. Day two will offer a community block party event during the day and feature free back-to-school giveaways and services. At night, the weekend's musical headliners will converge for the main anniversary concert. Local food and drink will be sold.

Roc Summer Soul Music Festival, formerly Rochester MusicFest, is a legacy event that has been a part of our community's rich festival scene for 25 years now. It began in 1995 with the intention of creating a culturally diverse, accessible music festival. Though the duration and venues have varied throughout the decades that it has been in existence, the event continues to provide the community with an opportunity to Rochesterians together to celebrate a mutual love of music.

In addition to the direct city funding, Xperience Live will be given the opportunity to generate additional revenue to support the event by offering its sponsors advertising opportunities on nearby City assets through the City's pilot asset advertising program. The event will work closely with the City's Advertising Committee for approval on each potential advertisement and the subsequent terms of the sales. Xperience Live will be required to remit 50% of each advertisement that it sells back to the City.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-18

Ordinance No. 2020-25
(Int. No. 37)

Authorizing an amendatory booking and production services agreement for the 2020 Roc Summer Soul Music Festival

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 Xperience Live LLC to provide additional booking and enhanced production services for the 2020 Roc Summer Soul Music Festival. The amendment shall increase the maximum total compensation of the existing agreement authorized by Ordinance No. 2017-383 by \$25,000 to a total amount of \$225,000. The cost of this amendment shall be funded by the 2020-21 Budget of the Bureau of Communications, contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-26
Amendment to an Agreement –Northeastern Production Systems, Inc., Special Event Production Services

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending an agreement with Northeastern Production Systems, Inc., (principal: Ray DiBiase), Rochester, New York, for the sound, lighting, staging, and power production services at City-produced special events.

In December 2017, the City entered into a 5 year agreement with Northeastern Production Systems via ordinance 2017-382. Maximum compensation in year 3 (fiscal year 2020-2021) was projected to be \$120,686, but in order to provide extra sound, lighting, and staging support for the City's Roc Summer Soul Music Festival's 25th anniversary in August 2020, the planned not-to-exceed amount of \$120,686 will be increased by \$20,000 to \$140,686.

The authorized amounts for years 4 and 5 will remain the same per the original ordinance.

Funding will be available in the 2020-2021 Budget of the Bureau of Communications, pending its approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-19

Ordinance No. 2020-26
(Int. No. 38)

Authorizing an amendatory agreement to provide for sound, lighting, staging, and power production services for the 2020 Roc Summer Soul Music Festival

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 Northeastern Production Systems, Inc., to provide additional sound, lighting, staging, and power production services for the 2020 Roc Summer Soul Music Festival. The amendment shall increase by \$20,000 the maximum compensation for the third year of the existing agreement authorized in Ordinance 2017-382 to a total amount of \$140,686. The amended compensation for the third year shall be funded by the 2020-21 Budget of the Bureau of Communications, contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-27
Ordinance No. 2020-28
Re: Amend - Capital Improvement Program – City School District

City Council Priority: Deficit Reduction and Long-Term Financial Stability, Support the Creation of Effective Educational Systems

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

1. Authorize the issuance of an additional \$1,578,000 in bonds and appropriate the proceeds thereof to finance capital improvements to existing school buildings and support facilities in the school district.
2. Amend Ordinance 2020-3 which previously authorized \$16,380,000 of bonds to increase the bond amount by \$772,000 to a new total of \$17,152,000.
3. Amend Ordinance 2018-381 which previously authorized \$18,795,000 bonds to increase the bond amount by \$806,000 for a new total of \$19,601,000.

The additional borrowing is necessary due to higher than estimated bid pricing to complete proposed work at the Flint Street R-Center, fund playground improvements at School #20, and fund bid alternates at School of the Arts and School #46.

By City Council Policy, borrowing in any fiscal year may not exceed the principal on outstanding debt redeemed for that year. This amendment remains within the City Council Policy and does not exceed the aggregate debt limit for borrowing for the district for the 18-19 and 19-20 fiscal years. *Attachment A* is a projection of the School District debt to be repaid over the current and next four fiscal years.

For cities with dependent school districts, the NY State Constitutional Debt Limit is established at 9.0% of the 5-year average full valuation. As specified in the City Charter, Rochester splits this limit into 5.5% for the City and 3.5% for the School District. This split provides the District with a remaining borrowing capacity of \$71,806,295 (*Attachment B*).

In accordance with the City Council Policy adopted April 20, 2016, bonding for schools in the CIP will not include schools in a current phase of the Facilities Modernization Program unless for reasons of health and safety; the RCSD will use cash capital as defined by New York State Finance law.

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

Attachment D is Ordinance 2020-3 which previously authorized \$16,380,000 of bonds.

The New York State Education Department, by letter dated September 18, 2019 has confirmed the RCSD has met the Maintenance of Effort (MOE) requirement for 2019-20. When the City issues this debt the repayments will be structured to the extent possible to continue meeting the MOE requirements, while remaining within the constraints of Local Finance Law.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-20

Ordinance No. 2020-27
 (Int. No. 63)

Amending Bond Ordinance No. 2020-3 to finance the costs of improvements to specified City School District schools

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

Section 1. Ordinance No. 2020-3 authorizing the issuance of City bonds to finance improvements to specified City School District buildings is hereby amended in its title, sections 1, 2 and 3 and Exhibit A thereof as follows:

Bond Ordinance of the City of Rochester, New York authorizing the issuance of ~~\$16,380,000~~ \$17,152,000 Bonds of said City to finance the costs of improvements to specified City School District schools

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance ~~\$16,380,000~~ \$17,152,000 of the costs of the City School District 2019-20 Capital Improvement Program, including the costs of the design, renovation and improvement of the City School District schools indicated on the attached Exhibit A (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is ~~\$16,380,000~~ \$17,152,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of ~~\$16,380,000~~ \$17,152,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of ~~\$16,380,000~~ \$17,152,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto. The principal of the Bonds authorized by this Ordinance does not exceed the principal of the Bonds being redeemed on behalf of the School District during the City's 2019-20 Fiscal Year. The proceeds of the Bonds authorized herein shall not be applied to any School District facility in the current phase of the School District Facilities Modernization Program.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of ~~\$16,380,000~~ \$17,152,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Exhibit A

2019-20 CONSTRUCTION PROJECTS

School Name	Project Description	Budget
School #5 John Williams	Relocate and reconstruct playground. Relocate ball diamond. Repoint masonry and dean decorative stonework at front entry. Complete other BCS masonry items. Construct parking along Verona Street west of the school. Construct canopy over loading dock area. Install door from music room to adjacent Instrument storage room.	\$ 1,068,000
School #12 Anna Murray-Douglass Rec Academy	Renovations to Douglass Rec Center. This construction work is to be completed in 2021.	\$ 1,980,000
School #20 Henry Lomb	Reconstruct playground. Replace damaged precast lintels, deteriorated steel lintels and repaint masonry. Window replacement with dual glazed system and integral blinds. Mill and resurface bus drive and replace fencing at main parking lot. Replace emergency generator and relocate unit to roof of boiler room. Replace boilers, heating system zone pumps, convert pneumatic	\$ 2,625,000 <u>\$ 2,925,000</u>

	controls to electronic, replace boiler room lighting and other mechanical work within the boiler room. Replace inaccessible lights in stair towers with LED fixtures.	
School #23 Francis Parker	Reconstruct cupola and replace original weather vane. Masonry reconstruction, building cleaning and handicap (HC) ramp railing replacement. Reconstruct front interior steps. Adjust front walk for HC accessible route. Add HC lift. Replace front doors. Window replacement with dual glazed system and integral blinds. Install HC lift for stage access on front of stage. Replace clock system. Reconstruct classroom used as a cafeteria. Provide storage area, DOH required sinks and cooler with freezer. Reconstruct Pre-K classroom with a toilet. Replace toilet partitions in boys' toilet rooms. Provide bus pull-off on Barrington Street. Provide infill of tree lawn along Milburn street at bus drop off areas.	\$ 3,117,000
School #106 RISE Community	Replace generator and relocate unit to boiler room roof. Replace PA system. Complete boiler room concrete floor, wall and roof structure reconstruction. Replace rooftop ventilators, louvers and controls. Replace pneumatic controls. Reconstruct roof structure in gym area classrooms on third floor.	\$ 970,000

School #46 Charles Carroll	Complete parking lot extension and site lighting. Replace PA system. Construct security vestibule at north entry with new HC lift. Alter front reception counter in main office. Reconstruct former locker room areas into student support service offices. Remove partition wall between former toilet rooms adjacent to library and improve for pull-out spaces. Replace stage curtains. Upgrade elevator and create exterior vestibule receiving space.	\$ 1,556,000 <u>\$ 1,797,000</u>
Rochester Early Child-hood Education Center	Extend playground green space and provide additional fencing. Remove existing abandoned toilet area in basement and reconstruct area. Reconstruct second floor toilet area. Remove asbestos and reconstruct corridor wall in basement service area. Replace PA system and clocks.	\$ 1,750,000
Charlotte Campus	Redirect funds for Athletic field improvements to complete additional masonry reconstruction in various areas. Masonry repairs on grounds storage building, replace lighting, replace overhead and entry doors.	\$ 730,000
School of the Arts	Skylight base flashing reconstruction and cap plate replacement. Replace boiler, draft fans, supply and return loop pumps. Replace domestic hot water tank.	\$ 1,410,000 <u>\$ 1,641,000</u>
Joseph C. Wilson Foundation Academy	Redirect funds for Athletic field improvements from press box to athletic area toilet improvements. Replace pool filtration system. Add water fountains to 2 nd floor wings.	\$ 389,000
Service center	Replace transportation building bus lift and complete other BCS items. Replace guard booth. Replace bus wash system.	\$ 785,000
Total 2019-20 RCSD CIP Bond Request		\$16,380,000 <u>\$17,152,000</u>

Section 2. 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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2020-28
(Int. No. 64)

Amending Bond Ordinance No. 2018-381 to finance the costs of improvements to specified City School District schools

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

Section 1. Ordinance No. 2018-381 authorizing the issuance of City bonds to finance improvements to specified City School District buildings is hereby amended in its title, sections 1, 2 and 3 and Exhibit A thereof as follows:

Bond Ordinance of the City of Rochester, New York authorizing the issuance of ~~\$18,795,000~~ \$19,601,000 Bonds of said City to finance the costs of improvements to specified City School District schools

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 ~~\$18,795,000~~ \$19,601,000 of the costs of the City School District 2018-19 Capital Improvement Program, including the costs of the design, renovation and improvement of the City School District schools indicated on the attached Exhibit A (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is ~~\$18,795,000~~ \$19,601,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of ~~\$18,795,000~~ \$19,601,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of ~~\$18,795,000~~ \$19,601,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto. ~~The principal of the Bonds authorized by this Ordinance does not exceed the principal of the Bonds being redeemed on behalf of the School District during the City's 2018-19 Fiscal Year.~~ The proceeds of the Bonds authorized herein shall not be applied to any School District facility in the current phase of the School District Facilities Modernization Program.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of ~~\$18,795,000~~ \$19,601,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Exhibit A
2018-19 CONSTRUCTION PROJECTS

School Name	Project Description	Budget
School #9 / Dr. Martin Luther King Jr./Clinton- Baden Rec Center	Develop community spaces and provide secure entrance to building. Parking lot sidewalk reconstruction and doorway reconstruction for HC accessibility. Stairwell heating unit replacement. Replace pneumatic smoke dampers with electronic actuated dampers.	\$ 670,000
School #19 / Dr. Charles T. Lunsford	Flint Street Rec Center renovations for the City. This work is scheduled for 2020.	\$ 1,850,000 <u>\$ 2,656,000</u>
School #25 / Nathaniel Hawthorne	Reconstruct playground. Concrete sidewalk and exterior classroom stair replacement work. Parking lot construction and partial main lot reconstruction. Roof replacement and roof drains reconstruction. Electrical upgrades to add more receptacles. Replace windows, blinds, security screens. Rebuild and replace deteriorated structure and ornamentation at south entry. Develop hybrid kitchen.	\$ 3,760,000
School #33 / John James Audubon	Replace roof.	\$ 2,160,000
School #41 / Kodak Park	Relocate main office to create secure entrance. Renovate existing office space to a classroom. Cafeteria reconstruction/kitchen enlargement, and add toilets in adjacent area.	\$ 1,800,000
School #44 / Lincoln Park	Partial roof replacement and drain reconstruction. Masonry repairs. Fire alarm replacement. Add automatic transfer switch. Gym floor replacement.	\$ 1,930,000
School #52 Frank Fowler Dow	Masonry renovations to tower, parapets, and elevator shaft. Install new louvers, screens and door at bell tower. Selective slate roof replacement and yankee gutter reconstruction. Develop hybrid kitchen. Install cafeteria acoustics and construct accessible toilets. Install lockdown security hardware on classroom doors and rekey the building. Replace PA system.	\$ 1,625,000

School #57 / Early Childhood School of Rochester	Repair masonry step cracks and repaint under windows. Add security screens to windows.	\$ 290,000
Franklin	Sidewalk replacement. Masonry restoration on west wall of gym and window sills. Reconstruct toilets. Gym rooftop unit replacement/ relocation to balconies.	\$ 1,730,000
Wilson Foundation	Floor slab replacement. Valve replacement, VAV upgrades, replace building heat pumps, and replace domestic HW. Masonry wall cap and waterproofing.	\$ 1,740,000
District Wide - 45, 52, ECEC	Fire alarm replacement project at School #52. Fire alarm device upgrades at Early Childhood Education Center. Fire alarm device upgrades at School #45.	\$ 1,240,000
Total 2018-19 RCSD CIP Bond Request		\$18,795,000 <u>\$19,601,000</u>

Section 2. 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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By Councilmember Patterson
February 18, 2020

To the Council:

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

- Int. No. 39 Authorizing the sale of real estate
- Int. No. 40 Authorizing agreements for the Asset Control Area program
- Int. No. 41 Authorizing a lease agreement for a portion of 835-855 West Main Street
- Int. No. 42 Resolution approving appointment to the Zoning Board of Appeals
- Int. No. 43 Authorizing a lead agency agreement between the City Council and the Mayor regarding Environmental Review
- Int. No. 44 Authorizing agreements and funding for the Cities RISE program

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-29
Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

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

The properties are listed on the attached spreadsheet under the heading, I. Negotiated Sale – Vacant Land. The first property is being sold to the adjacent owner to provide additional green space. The second property is being sold to the adjacent owner who intends to construct a single family home. The purchaser intends to lease the property following construction.

The first year projected tax revenue for these two properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$801.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-21

Ordinance No. 2020-29
(Int. No. 39)

Authorizing the sale of real estate

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

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

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
297 Fourth St	106.51-2-24	40 x 120	4,800	\$425	Ben Bouiye, Jr.
1124 Genesee St	135.42-2-36	40 x 99.5	4,570	\$425	Atlas Contractors, LLC

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-30
Asset Control Area Program – Agreement Renewal

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement for the continuation of the Asset Control Area Program (ACA) program with the United States Department of Housing and Urban Development (HUD), through February 28, 2022.

The ACA program allows local government and not-for-profit developers to enter into agreements with HUD to purchase the inventory of HUD-owned residential properties at a discount in HUD designated areas. The discount allows the City to acquire properties at lower prices and reduce the amount of subsidy required for rehabilitation of each property, thus maximizing the number of vacant homes that can be addressed. The City's ACA Program is a component of the Home Rochester Program which is managed by the Greater Rochester Housing Partnership/Rochester Housing Development Fund Corporation. A program description and a map of the census tract areas are attached.

As a condition of the agreement, the City is required to purchase all single-family properties in the HUD designated census tract areas. Once acquired, each property is fully rehabilitated and sold to first time homebuyers, who will be owner occupants and have incomes at or below 120% of the Area Median Income. The buyers must agree to live in the property for a period of 15 years.

Since the initiation of the program in 2004, 487 properties have been acquired, rehabilitated and sold to income eligible first time homebuyers. The most recent 2 year agreement was approved by City Council on February 20, 2018, via Ordinance No. 2018-30. During the past five (5) years, 45 properties have been acquired through this program.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-22

Ordinance No. 2020-30
(Int. No. 40)

Authorizing agreements for the Asset Control Area 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 Housing and Urban Development (HUD) to permit the continued participation of the City in the Asset Control Area (ACA) program, which provides for the acquisition and redevelopment of vacant residential properties in certain HUD designated census tracts of the City. The term of the agreement may extend through February 28, 2022.

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

Section 3. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-31
Lease Agreement 835-855 West Main St

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City and University of Rochester (Holly G. Crawford, Senior VP for Administration and Finance, Rochester, NY). The applicant will lease approximately 10,000 square feet of space in 835-855 West Main Street (Bull's Head Plaza), along with 60 parking spots. The monthly rental amount will be \$6,666.67 calculated at a rate of \$8 per square foot annually which is supported through an independent appraisal performed by Jay Loson, MAI, of Midland Appraisal Associates, Inc. as of August 2019. The term of the lease will be three (3) years commencing January 1, 2020 and ending December 31, 2022 with an option for either party to terminate the lease early with a minimum of 12 months advance notice.

University of Rochester has occupied the space at 835 West Main Street since 1980 for the purposes of running a health care clinic in association with Monroe County Department of Public Health. The City took ownership of the property in 2018 and assumed the leases that were in place at the time of acquisition. This lease extends their use and occupancy while a suitable replacement location is found for the clinic.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-23

Ordinance No. 2020-31
(Int. No. 41)

Authorizing a lease agreement for a portion of 835-855 West Main Street

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

WHEREAS, the City of Rochester has received a proposal from the University of Rochester for the lease of approximately 10,000 square feet of space in Bull’s Head Plaza located at 835-855 West Main Street; and

WHEREAS, the Council affirmatively finds that the proposed lease authorized herein is in the public interest because it will allow the University of Rochester to continue its long-time use of the leased space to operate a health care clinic in conjunction with the Monroe County Department of Public Health.

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

Section 1. The Mayor is hereby authorized to enter into a lease agreement with the University of Rochester for use of approximately 10,000 square feet of interior building space along with 6 parking spots per 1,000 square feet of building space in the Bull’s Head Plaza located at 835-855 West Main Street. The agreement shall have a term of 3 years, with an option for either party to terminate the lease sooner upon a minimum of 12 months advance notice.

Section 2. The monthly rental amount shall be \$6,666.67.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-12
Re: Appointment to the Zoning Board of Appeals

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation confirming the appointment of one full-time member to the Zoning Board of Appeals (ZBA).

Laurene Jennings, 520 East Avenue, Apt. #103, 14607 will be joining the ZBA as a full-time member. Ms. Jennings is currently an alternate on the Board and has been since 2016. She will be replacing Mimi Tilton and will serve out the remainder of Ms. Tilton’s term which expires on May 31, 2020.

Ms. Jennings’ resume is on file with the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2020-12
(Int. No. 42)

Resolution approving appointment to the Zoning Board of Appeals

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

Section 1. The Council hereby approves the appointment of Laurene Jennings, 520 East Avenue, Apt. #103, Rochester, NY 14607, to the Zoning Board of Appeals as a regular member for a term that shall expire on May 31, 2020.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-32
Re: Agreement – Environmental Review Lead Agency

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Planning for Action

Transmitted herewith for your approval is legislation authorizing an agreement between the City Council and the Mayor for the coordination of environmental review actions in which both parties are involved.

The requirement for environmental review of certain actions is specified by the New York State Environmental Quality Review Act, and Chapter 48 of the City Code. When more than one governmental body is involved in actions covered under these laws and associated regulations, a lead agency must be designated to conduct the review.

Since 1987 Council has authorized agreements designating the Administration as the lead agency for such actions, with the provision that gives the Council President 10 days to assume the lead agency designation, if desired.

Under the agreement, the Mayor will continue to notify the Council when an environmental review is required and that the review will be conducted by the Administration as lead agency. Upon receipt of notification, the President will advise the Council in writing of the proposed action and request comments within 10 days. The President may, within the 10-day period, notify the Mayor that the provisions of the lead agency agreement will not apply and that formal consideration of the designation of a lead agency by the Council will instead be required.

Consistent with past practice, the proposed agreement will have a term of two years.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-32
(Int. No. 43)

Authorizing a lead agency agreement between the City Council and the Mayor regarding Environmental Review

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

Section 1. The President of the Council is hereby authorized to enter into an agreement with the Mayor for a term of two years, to create a coordinated environmental lead agency review procedure pursuant to Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the Municipal Code, for actions which involve discretionary decisions by the City Council and the Mayor.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-33
Re: Cities RISE Grant

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the implementation of Phase III of the Cities RISE grant agreement with Enterprise Community Partners.

This legislation will:

- 1) Authorize an agreement with the Enterprise Community Partners, Inc. (Priscilla Almodovar, Chief Executive Officer, 1 Whitehall St 11th floor, New York, NY 10004) for the receipt and use of a \$900,000 grant. The term of the agreement is not to exceed three years.

- 2) Amend the 2019-20 Budget to reflect the receipt and use of a portion of the grant funds as follows:
 - a. Cash Capital by \$300,000 towards software to be used for the Land Management project. The software vendor will be selected this spring and the funding will be used for a future contract, which is subject to City Council approval.

- 3) Appropriate the use of the remaining grant funds as follows:
 - a. \$175,000 authorizing maximum compensation for an agreement with Rochester Refugee Resettlement Services, Inc. (Michael Coniff, Executive Director, located at 393 Lexington Avenue, 14613). A Justification Statement for not issuing an RFP is attached. The term of the agreement will be for two years.
 - b. \$200,000 as seed funds to provide hazard remediation services for privately-owned tenant-occupied properties.
 - c. \$125,000 to be included in the 2020-21 NBD Budget contingent upon its approval to be used to offset staff costs associated with the establishment of the Property Manager Licensing Program. This new program will require legislation which will be developed and presented to Council for consideration in the coming year.
 - d. \$100,000 to be included in the 2020-21 Mayor's Office Budget contingent upon its approval to be used as additional funding towards the Financial Empowerment Center.

The Cities RISE program was launched by the NYS Attorney General's Office in 2017 to build the capacity of municipalities to use data and community input to strategically transform properties affected by the housing crisis. In Phase I of the program, the City entered into an agreement with Enterprise Community Partners to obtain a subscription to Building Blocks, which is a data platform designed to integrate disparate information. In Phase II of the program, the City was selected to participate in training, technical support, and community outreach efforts to understand local circumstances and then develop innovative strategies designed to deliver more equitable and strategic code enforcement. To carry out these efforts, the City extended the agreement with Enterprise Community Partners and entered a grant agreement with the NYS Attorney General's Office to offset the staff cost associated with developing the application for Phase III.

In 2019, the City conducted community outreach efforts with our harder-to-reach tenant populations, and worked with IBERO, RRRS, and the Tenants' Union in doing so. Through this effort, we developed a suite of programs designed to fill-in gaps and strengthen programs to better serve our City residents. The five program areas developed in Phase III are summarized below:

Land Management System: this project includes the development of a modern software system to replace the legacy Building Information System used primarily by the Bureau of Buildings and Zoning.

Refugee Housing Education: this project will result in the development of an innovative, in-home training program for healthy housing for refugee tenants who may be unfamiliar with North American style housing. This program includes the development of a pictorial guide and reliance on translators to ensure culturally sensitive training.

	Year 1	Year 2	Total
Guidebook, including translation	\$22,500	\$22,500	\$45,000
Cleaning materials	\$5,000	\$5,000	\$10,000
Coordinator (part-time)	\$30,000	\$30,000	\$60,000
Interpreters	\$30,000	\$30,000	\$60,000

Emergency Abatement Funding: this funding will be used in accordance with City policy to make a repair to a residential property in certain emergency situations where the property owner does not respond, and consequently, the tenant would be displaced (e.g. no heat, roof or pipe leak, electrical or water heater issues). When the City makes a repair to a dwelling unit, the costs will be billed to the owner, which if not paid will be added to their tax bill. When either the bill or the taxes are paid, the money will be replenished, and it will continue to be used to address emergency situations identified in properties.

Property Manager License: licensing property managers will increase their accountability for resolving code violations and maintaining the property. Property managers will be required to renew their license annually. The City will use Building Blocks to assess and score the property manager's responsiveness. This information will be publically available.

Financial Empowerment Center (FEC) (working together on eviction prevention): the FEC program has four financial counsellors that provide one-on-one services to City residents. This grant will provide funding for a fifth counsellor, who will be an eviction specialist and will collaborate with the Rochester Housing Authority (RHA) to identify early warning signs for eviction (e.g. late payment).

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-24

Ordinance No. 2020-33
(Int. No. 44)

Authorizing agreements and funding for the Cities RISE program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Enterprise Community Partners, Inc. for the receipt and use of Cities RISE program grant funding in the amount of \$900,000. The term of the agreement shall not exceed three years. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate this agreement.

Section 2. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the 2019-20 Cash Capital allocation in the amount of \$300,000 comprised of a portion of the funds authorized in Section 1 to fund a Land Management System to replace and improve upon the City’s legacy Building Information System.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Rochester Refugee Resettlement Services, Inc. to develop an in-home healthy housing training program for refugee tenants. The maximum compensation for the agreement shall be \$175,000, which shall be funded from a portion of the grant agreement funds authorized in Section 1 herein. The term of the agreement shall be two years.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Evans, Gruber, Lightfoot, Ortiz, Patterson, Peo-7.

Nays - Councilmember Lupien – 1.

By Councilmember Gruber
February 18, 2020

To the Council:

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

- Int. No. 45 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,900,000 Bonds of said City to finance a portion of the City’s 2020 Water Main Cleaning and Cement Lining Project of the Distribution System Water Main Renewal Program
- Int. No. 46 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$600,000 Bonds of said City to finance a portion of the City’s 2020 Cured in Place Pipe Project of the Distribution System Water Main Renewal Program
- Int. No. 47 Authorizing a funding agreement for the Blue Cross Arena Upgrades Project
- Int. No. 48 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,000,000 Bonds of said City to finance the costs of the Blue Cross Arena Upgrades Project
- Int. No. 49 Authorizing an engineering design services agreement for the 2020 Preventative Maintenance Group 11 Project
- Int. No. 50 Authorizing an engineering design services agreement for preventative maintenance repairs to the East Main Street Bridge over CSX Transportation right-of-way
- Int. No. 51 Authorizing agreements, land acquisition and funding modifications for the East Main Street Improvement Project
- Int. No. 51A Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: East Main Street Reconstruction (N. Goodman Street to Culver Road)
- Int. No. 52 Authorizing an amendatory agreement for designing Police Department section offices

- Int. No. 53 Authorizing an amendatory agreement with the New York State Department of Transportation for snow and ice control
- Int. No. 54 Authorizing an amendatory agreement for the ROC the Riverway Management Entity Study
- Int. No. 55 Authorizing an agreement for the illumination of High Falls
- Int. No. 56 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$770,000 Bonds of said City to finance the costs of the Rundel Library Structural Terrace Improvements Phase IV Project

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

Received, filed and published.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2020-34
 Re: Bond Authorization - 2020 Water Main Cleaning and Cement Lining Project of the Distribution System Water Main Renewal Program
 Comprehensive Plan 2034 Initiative Area:Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$1,900,000 and the appropriating of funds to a portion of the 2020 Water Main Cleaning and Cement Lining Project of the Distribution System Water Main Renewal Program.

The project will rehabilitate approximately 5.2 miles of City water mains. This rehabilitation method consists of mechanically cleaning the interior of the existing water mains and installing a corrosion-resistant cement lining to restore hydraulic capacity, improve available fire flows and water quality and to extend the useful life of the mains.

The cost to rehabilitate a water main by cement lining is approximately 20% of the cost required to replace a water main.

The total cost of the project is estimated to be \$2,300,000. The \$400,000 balance will be funded by the 2019-20 Cash Capital.

Project inspection will be performed by Water Bureau personnel.

A list of the affected streets and a map of the area are attached.

Construction is scheduled to begin in spring 2020 and completed by fall 2020. This project results in the creation and/or retention of the equivalent of 25 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-25

Ordinance No. 2020-34
 (Int. No. 45)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,900,000 Bonds of said City to finance a portion of the City’s 2020 Water Main Cleaning and Cement Lining Project of the Distribution System Water Main Renewal Program

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of rehabilitating, mechanically cleaning and installing an anti-corrosion lining for approximately 5.2 miles of water mains through the City’s 2020 Water Main Cleaning and Cement Lining Project of the Distribution System Water Main Renewal Program, including the mains beneath portions of those streets designated on the attached Schedule A (the “Project”). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,300,000. The plan of financing includes the issuance of \$1,900,000 bonds of the City, which amount

is hereby appropriated for the Project, \$400,000 in 2019-20 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 \$1,900,000 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 \$1,900,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

Schedule A

Street	From	To	Dist. (lf)	Size (in.)
Archer St.	Selye Ter.	Selye Ter.	20	6
Archer St.	Driving Park Av.	Bryan St.	1155	8
Argo St.	Lake View Pk.	Dead End	798	8
Augustine St.	Dove St.	Conrail	892	8
Avis St.	Aster St.	Dewey Av.	1571	6
Avis St.	Dewey Av.	No. 140	392	6
Avis St.	No. 140	Primrose St.	1027	8
Bardin St.	Primrose St.	Minder St.	445	8
Bidwell St.	Driving Park Av.	Lake View Pk.	553	6
Bidwell St.	Lake View Pk.	dead end	799	8
Bidwell St.	Lake View Pk.	Lake View Pk.	33	12
Birr St.	Dove St.	Conrail	885	8
Bryan St.	No. 210	Lark St.	413	8
Desmond St.	W. Ridge Rd.	Palm St.	315	6
Dove St.	Driving Park Av.	Augustine St.	1929	8
Emerson St.	Mt. Read Blvd.	Conrail	2563	8
Kislingbury St.	Dewey Av.	Lark St.	1556	6
Knickerbocker St.	Summit Grove	Aster St.	747	6

Knickerbocker St.	Marigold St.	Summit Grove	1328	8
Lark St.	Driving Park Av.	Lake View Pk.	561	6
Lark St.	Lake View Pk.	Dead End	834	8
Luckey St.	Birr St.	Augustine St.	250	4
Marigold St.	Ridgeway Av.	Knickerbocker St.	266	8
Minder St.	Ridgeway Av.	Bardin St.	265	8
Owen St.	Minder St.	Lake Av.	585	8
Rand St.	Dewey Av.	Aster St.	1625	8
Selye Ter.	Dewey Av.	Lark St.	1544	6
Steko St.	Dewey Av.	Aster St.	1650	8
Summit Grove	Knickerbocker St.	Aster St.	863	8
Sunrise St.	Knickerbocker St.	Aster St.	250	6
Walnut St.	Rte. 490	W. Broad St.	1691	8

Totals: **27805**

4"= 250
6"= 7,509
8"= 20,013
12"= 33

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-35
Re: Bond Authorization - 2020 Water Main Cured in Place Pipe Project of the Distribution System Water Main Renewal Program
Comprehensive Plan 2034 Initiative Area:Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$600,000 and appropriating the proceeds thereof to fund a portion of the 2020 Cured in Place Pipe (CIPP) Project of the Distribution System Water Main Renewal Program.

The CIPP Project will structurally rehabilitate 0.9 miles of deteriorated water mains on the following streets:

Street Name	Limits	Rehabilitation Reason
Lexington Avenue	Mt Read Boulevard to 1500' E/ Mt Read Boulevard	7 Water Main Breaks Years: 1983 - 2018
Mt Read Blvd - East Outer Drive	Lexington Avenue to Dead End South	5 Water Main Breaks Years: 1989 - 2014
Perinton Street	Ridgeway Avenue to Wheatland Street	5 Water Main Breaks Years: 2000 - 2017
Chestnut Street (Holly System)	Court St to James Street	6 Water Main Breaks Years: 2004 - 2018
Aqueduct Street (Holly System)	E. Main St to Broad Street	3 Water Main Breaks Years: 2008 - 2009

This is a trenchless rehabilitation process where a certified installer inserts a felt tube impregnated with a polymer resin into the existing water main. After the material has cured, it forms a fully structural close fitting liner pipe within the existing water main, thus extending its useful life.

The total cost of this project is estimated to be \$1,800,000. Ordinance No. 2019-15 previously authorized \$607,000 in bonds to support this project. The balance of funding will be \$300,000 from 2017-18 Cash Capital and \$293,000 from 2018-19 Cash Capital.

Construction is scheduled to begin spring 2020 and completed in fall 2020.

This project results in the creation and/or retention of the equivalent of 19 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-26

Ordinance No. 2020-35
(Int. No. 46)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$600,000 Bonds of said City to finance a portion of the City's 2020 Cured in Place Pipe Project of the Distribution System Water Main Renewal Program

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of structural rehabilitation of approximately 0.9 miles of deteriorated water mains through the City's 2020 Cured in Place Pipe Project of the Distribution System Water Main Renewal Program, including mains beneath the portions of those streets designated on the attached Schedule A (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,800,000. The plan of financing includes the issuance of \$600,000 bonds of the City, which amount is hereby appropriated for the Project, the issuance of \$607,000 bonds of the City authorized in Ordinance No. 2019-15, \$300,000 in 2017-18 Cash Capital, \$293,000 in 2018-19 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 \$600,000 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 \$600,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

Schedule A

Street Name	Limits
Lexington Avenue	Mt Read Boulevard to 1500' East of Mt Read Boulevard
Mt Read Blvd - East Outer Drive	Lexington Avenue to Dead End South
Perinton Street	Ridgeway Avenue to Wheatland Street
Chestnut Street (Holly System)	Court St to James Street
Aqueduct Street (Holly System)	E. Main St to Broad Street

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-36
Ordinance No. 2020-37

Re: Grant Authorization – Blue Cross Arena Upgrades Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the Blue Cross Arena Upgrades Project. This legislation will:

- 1) Authorize the issuance of bonds totaling \$1,000,000 and the appropriation of the proceeds thereof to partially finance the Project; and,
- 2) Authorize the receipt and use of \$3,500,000 in Dormitory Authority of the State of New York (DASNY) funds for construction of Blue Cross Arena Upgrades project.

The DASNY Grant for \$3,500,000 in funds authorized herein were secured through sponsorship of Senator Joseph E. Robach and Senator Rich Funke. A DASNY Grant for \$3,500,000 was also authorized in Ordinance No. 2018-242 as secured through sponsorship of Assemblyman Harry B. Bronson and Assemblyman Joseph D. Morelle.

The estimated total cost of the project including construction, engineering and design services, and resident project representation services is \$8,702,180 and will be funded as follows:

	Design and RPR	DASNY Grant Authorized by Ordinance No. 2018-242 eligible Construction Costs	DASNY Grant Authorized herein eligible Construction Costs	Contingency	TOTAL
DASNY Grant authorized by Ordinance No. 2018-242	525,000	2,600,853		374,147	\$3,500,000
DASNY Grant Authorized herein			3,500,000		\$3,500,000
2013-14 Cash Capital	193,445				\$193,445
2014-15 Cash Capital	50,000				\$50,000
2017-18 Cash Capital			54,335		\$54,335
2018-19 Cash Capital	231,555		72,445		\$304,000
2019-20 Cash Capital			100,400		\$100,400
Debt authorized herein			501,017	498,983	\$1,000,000
TOTAL	1,000,000	2,600,853	4,228,197	873,130	\$8,702,180

DASNY grant authorized by Ordinance 2018-242 construction includes public restroom, audio-visual system, and audio system upgrades. DASNY grant authorized herein construction includes an addition along Exchange Boulevard over the underutilized exterior terraced. The first floor will be reconfigured and expanded to include new optimized office space and reception areas, and an additional locker room. The second floor will provide an expanded public concession area for an optimized fan experience.

Construction is anticipated to begin in spring 2020, with anticipated completion in spring 2022.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-36
(Int. No. 47)

Authorizing a funding agreement for the Blue Cross Arena Upgrades Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Dormitory Authority of the State of New York (DASNY) for the receipt and use of \$3,500,000 in anticipated reimbursements from that agency to fund a portion of the costs of the Blue Cross Arena Upgrades Project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-37
(Int. No. 48)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,000,000 Bonds of said City to finance the costs of the Blue Cross Arena Upgrades 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 Blue Cross Arena Upgrades Project located at One War Memorial Square, including upgrades to public restrooms and the audio-visual system, construction of an addition along Exchange Boulevard, reconfiguring the first floor to include improved office and reception areas and an additional locker room, and reconfiguring the second floor on the river side of the building to expand the public concession area (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 \$8,702,180. The plan of financing includes the issuance of \$1,000,000 in bonds of the City, which amount is hereby appropriated therefor, \$3,500,000 in anticipated reimbursements from the Dormitory Authority of the State of New York (DASNY) appropriated in Ordinance No. 2018-242, \$3,500,000 in anticipated reimbursements from DASNY appropriated in an ordinance adopted concurrently herewith, \$193,445 in 2013-14 Cash Capital, \$50,000 in 2014-15 Cash Capital, \$54,335 in 2017-18 Cash Capital, \$304,000 in 2018-19 Cash Capital, \$100,400 in 2019-20 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 \$1,000,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,000,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-38
Re: Agreement – CSX Transportation, Inc., Design Services, 2020 Preventive Maintenance Group 11 Project (Lyell Avenue)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation which will establish \$25,000 as total maximum compensation for an agreement with CSX Transportation, Inc., (Jacksonville, Florida) for engineering design services. The cost of the agreement will be funded from 2017-18 Cash Capital.

The agreement with CSX is required to provide for engineering design services for an at-grade railroad crossing on Lyell Avenue. The term of the agreement will extend until five (5) years after project completion.

Construction is anticipated to begin in the spring of 2020 and completed in fall 2020. The agreement will result in the creation and/or retention of the equivalent of 0.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-27

Ordinance No. 2020-38
(Int. No. 49)

Authorizing an engineering design services agreement for the 2020 Preventative Maintenance Group 11 Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with CSX Transportation, Inc. to provide engineering design services for an at-grade railroad crossing as part of the 2020 Preventative Maintenance Group 11 Project. The maximum total compensation for the agreement shall be \$25,000 and said amount, or so much thereof as may be necessary, shall be funded from 2017-18 Cash Capital. The term of the agreement shall extend until 5 years after project completion.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-39
Re: Agreement – CSX Transportation, Inc. Design Services, East Main Street Bridge Over CSX Trans/Amtrak

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation which will establish \$25,000 as total maximum compensation for an agreement with CSX Transportation, Inc., (Jacksonville, Florida) for engineering design services. The cost of the agreement will be funded from 2018-19 Cash Capital.

The agreement with CSX is required to provide for engineering design services for preventive maintenance repairs to the East Main Street Bridge over CSX Trans/Amtrak. The term of the agreement will extend until two (2) years after project completion.

Construction is anticipated to begin in the spring of 2021 and completed in fall 2021. The agreement will result in the creation and/or retention of the equivalent of 0.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-28

Ordinance No. 2020-39
(Int. No. 50)

Authorizing an engineering design services agreement for preventative maintenance repairs to the East Main Street Bridge over CSX Transportation right-of-way

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 CSX Transportation, Inc. to provide engineering design services for preventative maintenance repairs to the East Main Street Bridge over the CSX Transportation railroad right-of-way. The maximum total compensation for the agreement shall be \$25,000 and said amount, or so much thereof as may be necessary, shall be funded from 2018-19 Cash Capital. The term of the agreement shall extend until 2 years after project completion.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-40
Resolution No. 2020-13
Re: East Main Street Improvement Project

Council Priority: Creating and Sustaining a Culture of Vibrancy and Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the East Main Street Improvement Project. This legislation will:

1. Authorize the Mayor to enter into agreements with the New York State Department of Transportation (NYSDOT) necessary for the City to participate in and administer the East Main Street Improvement Project (Project); and,
2. Authorize the City to compensate NYSDOT a maximum amount of \$8,000 for Right-of-Way (ROW) acquisition and related incidental services for the project, which shall be funded with \$4,625 from 2018-19 Cash Capital, and \$3,375 from the anticipated New York State Marchiselli Aid appropriated in section 5; and,
3. Authorize acquisition and transfer of property takings from the State of New York to the City of Rochester; and,
4. Amend Section 2 of Ordinance No. 2018-103 to decrease the federal aid from \$748,258 to \$726,983; and,

- 5. Amend Section 3 of Ordinance No. 2018-103 to increase New York State Marchiselli Aid from \$44,524 to \$139,684; and,
- 6. Amend Section 1 of Ordinance No. 2018-103 to decrease 2016-2017 Cash Capital funding from \$82,596 to \$12,086 and increase anticipated reimbursements from \$792,782 to \$863,292.

This is a Federal Aid Project that is administered by the City under agreement with the NYSDOT.

The Project includes street reconstruction of East Main Street from North Goodman Street to Culver Road. Improvements will also include new sidewalks and curb ramps, bicycle accommodations, driveway aprons, receiving basins, water main, water services, hydrants, lighting, signals, signage, pavement markings, tree plantings, and other various streetscape improvements.

The changes will be in compliance with the City’s Complete Streets Policy whereas the streets will enable safe access for all users; pedestrians, bicyclists, transit users, persons with disabilities, and motorists of all ages and abilities are able to safely move along and across City streets.

The Project is being designed by Erdman, Anthony and Associates, Inc. (Curt W. Helman, P.E., CEO, 145 Culver Road, Suite 200, Rochester, NY) (Ordinance No. 2018-103).

The properties that the New York State Department of Transportation is acquiring and transferring to the City of Rochester are summarized as follows:

- A. New York State Department of Transportation is performing property takings for the Project. The property takings for ROW dedication are needed for new ADA handicap ramps. Property acquisition information can be found in the attached table.
- B. New York State must hold onto the permanent easement for three (3) years, after which they can begin a process which involves the NYS Attorney General’s Office drafting a deed to transfer the easements from the State of New York to the City of Rochester.

A public meeting was held on February 28, 2019. A copy of the public meeting minutes are attached. Another public meeting is planned for early 2020 prior to going to bid and construction.

It is anticipated the design and property acquisitions will be completed in spring 2020 and construction will begin in fall 2020 with substantial completion by fall 2022.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-29

Ordinance No. 2020-40
(Int. No. 51)

Authorizing agreements, land acquisition and funding modifications for the East Main Street Improvement Project

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

Section 1. The Mayor is hereby authorized to enter into agreements with the New York State Department of Transportation (NYSDOT) to participate in and administer the East Main Street Improvement Project (Project).

Section 2. The Mayor is hereby authorized to enter into an agreement with NYSDOT to provide Right-of-Way (ROW) acquisition and incidental services for the Project. The maximum compensation for the agreement shall be \$8,000, which shall be funded by \$4,625 in 2018-19 Cash Capital and \$3,375 from anticipated reimbursements from NYSDOT Marchiselli Aid appropriated in Section 3 of Ordinance No. 2018-103 and as increased in Section 5 herein.

Section 3. The Council hereby authorizes the City to accept and take title to all permanent ROW property interests that the State of New York has acquired for the Project and authorizes the Mayor to execute such deeds, agreements or other instruments as may be necessary to effectuate the acquisitions authorized herein.

Section 4. The Mayor is hereby authorized to enter into an amendatory funding agreement for the receipt and use of anticipated reimbursements from the Federal Highway Administration to fund the Project. The amendatory agreement shall amend the funding agreement authorized in Section 2 of Ordinance No. 2018-103 so as to decrease the reimbursement amount by \$21,275 to a new total of \$726,983.

Section 5. The Mayor is hereby authorized to enter into an amendatory funding agreement for the receipt and use of anticipated reimbursements of NYSDOT Marchiselli Aid to fund the Project. The amendatory agreement shall amend the funding agreement authorized in Section 3 of Ordinance No. 2018-103 so as to increase the reimbursement amount by \$95,160 to a new total of \$139,684.

Section 6. Ordinance No. 2018-103, relating to design services for the Project, is hereby revised in Section 1 to read in its entirety as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Erdman, Anthony and Associates, Inc. for design services for the East Main Street Improvement Project (Project). Maximum compensation for the agreement shall be \$1,000,000. That amount, or so much of that amount as necessary to complete the project, shall be funded

\$19,750 from 2017-18 Cash Capital, \$104,872 from 2015-16 Cash Capital, ~~\$82,596~~ \$12,086 from 2016-17 Cash Capital, and ~~\$792,782~~ \$863,292 from the anticipated reimbursements appropriated for the Project in Sections 2 and 3 herein. The term of the agreement shall continue to 6 months after completion and acceptance of the Project.

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Resolution No. 2020-13
(Int. No. 51A)

Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: East Main Street Reconstruction (N. Goodman Street to Culver Road)

WHEREAS, a Project for the East Main Street Reconstruction (N. Goodman Street to Culver Road), P.I.N. 4CR0.05 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % Federal funds and 20 % non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of design, Right-of-Way (ROW) acquisition and ROW Incidentals.

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

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

THAT the Council of the City of Rochester Board hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of design, ROW acquisition and ROW Incidentals work for the Project or portions thereof;

THAT the sum of \$1,008,000.00 appropriated pursuant to Ordinance No. 2018-103 and pursuant to Ordinance No. 2020-40 is made available to cover the cost of participation in the above described phase of the Project;

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-41
Re: Amendatory Agreement – LaBella Associates, D.P.C. Rochester Police Department Section Offices

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with LaBella Associates, D.P.C. (Steve Metzger, CEO, 300 State Street, Suite 201, Rochester, New York) to provide additional services related for Rochester Police Department Section Offices. The original agreement, authorized in June 2019 (Ordinance No. 2019-202) established maximum compensation of \$1,600,000 for the design of Rochester Police Department Lake Section and Northwest Neighborhood Service Center and Rochester Police Department Goodman Section and Southeast Neighborhood Service Center. This amendment will increase the compensation by \$670,000 to a maximum total of \$2,270,000.

This additional cost will be funded as follows:

2017-18 Cash Capital	\$ 370,355
2018-19 Cash Capital	<u>\$ 299,645</u>
TOTAL	\$ 670,000

LaBella Associates, D.P.C. will provide additional architectural and engineering services for the design of the potential renovation of 160 Clifton Street for the new Rochester Police Department Genesee Section Office.

Design phase services will begin in spring 2020. Construction funding and scheduling will be established during the design process. This amendatory agreement will result in the creation and/or retention of the equivalent of 7.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-30

Ordinance No. 2020-41
(Int. No. 52)

Authorizing an amendatory agreement for designing Police Department section offices

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 LaBella Associates, D.P.C. to provide additional design services for Rochester Police Department section offices. The agreement shall amend the professional services agreement authorized in Ordinance No. 2019-202 so as to provide additional architectural and engineering services for the design and renovation of 160 Clifton Street for a new Genesee Section Office and to increase the maximum compensation by \$670,000 to a new total of \$2,270,000. The increase in compensation shall be funded in the amounts of \$370,355 from 2017-18 Cash Capital and \$299,645 from 2018-19 Cash Capital.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Evans, Gruber, Lightfoot, Lupien, Ortiz, Patterson -7.

Nays - Councilmember Peo -1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-42
Re: Amendatory Agreement - New York State Department of Transportation, Snow & Ice Control Services

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing an amendment to a longstanding agreement with the New York State Department of Transportation (NYSDOT) to reimburse the City for snow and ice control activities performed during the 2018-19 winter season. The amendment is an administrative requirement by the NYSDOT to allow them to pay the final payment of \$29,231.49 for the 2018-19 season. The amendment is necessary due to the type of Fixed Lump Sum contract the City has with the NYSDOT, and was instituted by the Office of the State Comptroller and the Division of Budget to better account for and manage cash flow.

This required Amendment will not change the previous terms and conditions of the existing agreement, which was initiated in 1978 and extended periodically. Per the agreement, the City provides snow and ice control services on portions of the following State highways:

- 1) Lake Avenue, from Lyell Avenue to West Ridge Road; and,
- 2) Plymouth Avenue, from Commercial Street to Troup Street.

The most recent extension was authorized by City Council in December 2018 (Ordinance No. 2018-401), and added the 2020-21 extension period to the term of the agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-42
(Int. No. 53)

Authorizing an amendatory agreement with the New York State Department of Transportation for snow and ice control

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

Section 1. The Mayor is hereby authorized to amend an 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:

Lake Avenue: From Lyell Avenue to West Ridge Road; and
Plymouth Avenue: From Commercial Street to Troup Street.

The agreement shall amend the professional services agreement last authorized to be amended in Ordinance No. 2018-401 to provide that NYSDOT shall reimburse, and the City shall accept, a final installment payment of \$29,231.49 as completing NYSDOT’s obligation to compensate the City for the provision of services during the 2018-19 winter season.

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. 2020-43
Re: Amendatory Agreement – James A. Cloar, ROC the Riverway Management Entity Study

Council Priority: Jobs and Economic Development and Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with James A. Cloar (371 Channelside Walk Way, Suite 904, Tampa, FL) for additional urban management advisory services related to the ROC the Riverway Management Entity Study. The original agreement, authorized in January 2019 (Ordinance No. 2019-13), established a maximum compensation of \$40,000. This amendment will increase the compensation by \$18,500 to a maximum total of \$58,500. The cost of the agreement will be financed as follows:

<u>Source</u>	<u>Amount</u>
Empire State Development Grant (Ordinance No. 2019-13)	\$20,000
2018-19 Undistributed Expense Budget	\$20,000
2017-18 Cash Capital	<u>\$18,500</u>
TOTAL	\$58,500

The ROC the Riverway Management Entity Study consists of two phases. The recently-completed first phase evaluated and recommended a preferred organizational structure for a management entity that will, at a minimum, oversee maintenance and programming of the new or enhanced public spaces along the Genesee riverfront that are included in the ROC the Riverway initiative. The second phase, for which the amendatory agreement is sought, will assist the City and project partners with the establishment and activation of the Management Entity.

The term of the amendatory agreement shall extend until six (6) months after completion of the project scope.

The project began in February 2019. It is anticipated that the project will be complete in summer 2020. The amendment will result in the creation and/or retention of the equivalent of 0.2 full time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-43
(Int. No. 54)

Authorizing an amendatory agreement for the ROC the Riverway Management Entity Study

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 James A. Cload of Tampa Florida to provide additional urban management advisory services with regard to a Management Entity Study to evaluate, recommend and establish a preferred organizational structure for managing the new or enhanced public spaces to be included in the ROC the Riverway initiative. The agreement shall amend the professional services agreement authorized in Ordinance No. 2019-13 so as to increase the maximum compensation by \$18,500 to a new total of \$58,500. The increase in compensation shall be funded from 2017-18 Cash Capital.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Evans, Gruber, Lightfoot, Lupien, Ortiz, Patterson -7.

Nays - Councilmember Peo -1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-44
Re: Agreement – Greg J. Winter DBA WINTEK, Illumination of High Falls

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum annual compensation for an agreement with Greg J. Winter DBA WINTEK (1330 Park Avenue, Rochester, New York) for services related to illuminating High Falls. The cost of the agreement will be financed from the 2019-20 budget of the Department of Environmental Services (DES). Subsequent renewal charges will be financed from future budgets of DES, contingent upon approval.

Since 2015 the City has operated and maintained lighting at High Falls through term professional services (Ordinance No. 2015-10), providing programmed lighting to illuminate the falls each evening. Lighting colors are regularly coordinated with recognized holidays and scheduled special events upon request.

Under the terms of the agreement, Greg J. Winter DBA WINTEK will be responsible for all operational and maintenance requirements of the lighting system at High Falls including maintaining energy to the lighting system, making adjustments and upgrades, performing maintenance and minor equipment repairs, and handling all programming needs.

Greg J. Winter DBA WINTEK was selected due to his technical experience and specialized knowledge for the system. A full justification for not issuing a request for proposal is attached.

The term of the agreement is for one (1) year with an option to renew for four (4) additional one-year periods. The project will result in the creation and/or retention of the equivalent of 0.3 full-time jobs.

Respectfully submitted,
Lovely Warren
Mayor

Attachment No. AT-31

Ordinance No. 2020-44
(Int. No. 55)

Authorizing an agreement for the illumination of High Falls

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 Greg J. Winter dba WINTEK for services related to the illumination of High Falls. The term of the agreement shall be one year with an option to renew for four additional one-year periods. The maximum annual compensation for the agreement shall be \$30,000, which shall be funded from the 2019-20 Budget of the Department of Environmental Services (DES) for the first year and subsequent years' Budgets of DES, contingent upon their approval, for any subsequent optional year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-45
Rundel Library Structural Terrace Improvements Phase IV Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$770,000 and the appropriation of the proceeds thereof to partially finance the costs of the Rundel Library Structural Terrace Improvements Phase IV project.

The estimated total cost of the project including construction, engineering and design services, resident project representation services, and a public art installation as part of the project is \$9,047,000 and will be funded as follows:

Funding Source:	Design and RPR	Construction & Site Preparation	Total:
Bonds - Ordinance No. 2016-344	1,300,000	2,157,000	\$ 3,457,000
DASNY Grants - Ordinance No. 2018-53		2,000,000	\$ 2,000,000
Bonds - Ordinance No. 2018-313		250,000	\$ 250,000
RTR / URI /ESD funding – Ordinance 2019-370		1,500,000	\$ 1,500,000
Bonds – Ordinance No. 2019-371		1,070,000	\$ 1,070,000
Additional bonds authorized herein		770,000	\$ 770,000
Total:	1,300,000	7,747,000	\$ 9,047,000

The additional bonds authorized herein will fund additional work in the project for the reconstruction of the east sidewalk along South Avenue. This will include high priority structural repairs, reconstruction of elevated sidewalk sections, infill of areaways underneath, and replacement of the existing bus shelter.

The original project includes the reconstruction of the closed north terrace and high priority structural repairs to the substructure supporting the terrace over the former subway tunnel. The overall project will create a more vibrant north terrace that celebrates the library and the history of the Erie Canal and aqueduct, improve visibility and public access to the riverfront and provide enhanced outdoor public space for gathering and library programming. Amenities will include an ADA accessible river theater and tiered seating overlooking the Genesee River, landscape architectural features, terrace lighting, and a public art installation.

Ordinances No. 2016-343 and 2018-300 authorized an agreement with LaBella Associates, D.P.C. for engineering, planning and landscape architectural services in a maximum amount of \$1,300,000. Ordinance No. 2019-9 authorized an agreement with Rochester District Hearing Cooperative, Inc. for the relocation of existing steam pipe in preparation for the project in a maximum amount of \$35,000.

\$1,500,000 was appropriated by Ordinance No. 2019-370 which was awarded by the Honorable Governor Andrew Cuomo through the ROC the Riverway initiative.

Bids for construction were received in fall 2019. It is anticipated that construction will begin in spring 2020 with scheduled completion in fall 2021. The additional work scope will result in the creation and/or retention of the equivalent of 8.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-32

Ordinance No. 2020-45
(Int. No. 56)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$770,000 Bonds of said City to finance the costs of the Rundel Library Structural Terrace Improvements Phase IV 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 Rundel Library Structural Terrace Improvements Phase IV Project, including reconstruction of the north terrace, structural repairs to the underlying substructure, enhanced outdoor gathering spaces, improved public access and visibility to the riverfront, landscape features, terrace lighting, and, along the east sidewalk on South Avenue, reconstruction of the sidewalk and the adjacent elevated sidewalk and bus stop (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 \$9,047,000. The plan of financing includes the issuance of \$770,000 in bonds of the City, which amount is hereby appropriated therefor, the issuance of \$3,457,000 bonds of the City authorized in Ordinance No. 2016-344, \$2,000,000 in anticipated reimbursements from the Dormitory Authority of the State

of New York appropriated in Ordinance No. 2018-53, the issuance of \$250,000 bonds of the City authorized in Ordinance No. 2018-313, \$1,500,000 in anticipated reimbursements from the New York State ROC the Riverway/Upstate Revitalization Initiative appropriated in Ordinance No. 2019-370, the issuance of \$1,070,000 bonds of the City authorized in Ordinance No. 2019-371, 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 \$770,000 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 \$770,000. 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 Section 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 Scott, Councilmembers Evans, Lightfoot, Lupien, Ortiz, Patterson, Peo -7.

Nays - None-0.

Councilmember Gruber abstained due to a professional relationship.

By Vice-President Lightfoot
February 18, 2020

To the Council:

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

- Int. No. 57 Appropriating federal forfeiture funds and authorizing an agreement to support Police Department community engagement programs
- Int. No. 58 Authorizing the receipt and use of grant funds and amending the 2019-20 Budget for Project CLEAN

- Int. No. 59 Authorizing funding agreements and amending the budget related to the ROC City Skate Park
- Int. No. 60 Authorizing an agreement for a tour of Historically Black Colleges and Universities for City youth
- Int. No. 61 Authorizing an intermunicipal agreement for My Brother’s Keeper program
- Int. No. 62 Authorizing an amendatory agreement for the loaned use of a foam trailer and equipment for fire suppression
- Int. No. 65 Authorizing an agreement for a boxing demonstration program

Respectfully submitted,
 Willie J. Lightfoot
 Mitch Gruber
 LaShay D. Harris
 Jacklyn Ortiz
 Loretta C. Scott
 PUBLIC SAFETY YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
 Ladies and Gentlemen:

Re: Ordinance No. 2020-46
 Appropriation – Federal Forfeiture Funds for Community Programs

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to federal forfeited property revenues attributable to the Rochester Police Department (RPD). This legislation will:

1. Appropriate \$8,000 in RPD federal forfeiture funds to support community programs and amend the 2019-20 Budget of the Police Department by said amount.
2. Establish \$5,000 as maximum compensation for an agreement with Center for Teen Empowerment, Inc. (Director of Rochester Programs: Doug Ackley) to continue its programs to improve police and youth dialog for engagement and relationship building as a component of RPD’s commitment towards community engagement and training. The cost of this agreement will be funded from the 2019-20 Budget of the Police Department and have a term of one year.

The remaining \$3,000 will be used to support the Judicial Process Commission’s (JPC) Legal Action Project. This project is designed to reduce barriers to reentry for city residents involved in the criminal justice system and to help them stabilize and prepare for employment.

The appropriations requested this month will result in a balance of approximately \$841,500 in the federal forfeiture Justice fund. We have supported Teen Empowerment two times previously, and JPC four times previously with federal forfeiture funds.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2020-46
 (Int. No. 57)

Appropriating federal forfeiture funds and authorizing an agreement to support Police Department community engagement programs

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

Section 1. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by \$8,000 from funds to be received from the Federal Government from seized and forfeited assets. Said funds are hereby appropriated to support community engagement programs.

Section 2. The Mayor is hereby authorized to enter into an agreement for the maximum amount of \$5,000 with the Center for Teen Empowerment, Inc. to continue its program to improve police and youth dialogue for engagement and relationship building. Said amount shall be funded from the appropriation in Section 1 herein and the term of the agreement shall not exceed 1 year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-47
Agreement – Ibero-American Development Corporation Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Ibero-American Development Corporation (IADC) for the receipt and use of \$249,760 for Project Clean, and amending the 2019-20 Budget of the Police Department by \$84,000 to reflect a portion of this grant. The remaining funds will be included in the 2020-21 Budget of the Police Department contingent upon approval.

Project CLEAN (Community, Law Enforcement, and Assistance Network) is funded by the Department of Justice and is aimed at developing community and police crime prevention strategies in the N. Clinton Avenue Neighborhood facing specific and unique crime challenges. A portion of the grant funds (\$116,660) will be used to fund overtime for Community Engagement Patrols aimed at improving the conditions within Target areas, which will be updated based on data trends. The remainder of the funds (\$133,100) will be used for overtime for enforcement details aimed at reducing the heroine epidemic in the Target areas. This grant does not cover fringe which is estimated at \$79,400.

The term of this agreement is January 1, 2020 through December 31, 2020 with the option to renew for one additional year. This is the first time the City is receiving these funds.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-47
(Int. No. 58)

Authorizing the receipt and use of grant funds and amending the 2019-20 Budget for Project CLEAN

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 Ibero-American Development Corporation (IADC) for the receipt and use of \$249,760 in grant funds for Project CLEAN (Community, Law Enforcement, and Assistance Network). The term of the agreement shall be January 1, 2020 through December 31, 2020 with the option to renew for one additional year.

Section 2. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by the sum of \$84,000, which amount is hereby appropriated from funds realized from Section 1 herein for Project CLEAN.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-48
Grant Agreement and Donation – ROC City Skate Park

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 ROC City Skate Park project. This legislation will:

1. Authorize an agreement with the Tony Hawk Foundation for the receipt and use of a \$50,000 Environmental Impact Grant award for the ROC City Skate Park project. This grant will fund a portion of the costs for environmental improvements associated with the project including but not limited to landscape improvements, installation of bicycle racks, improved stormwater drainage, and soil remediation efforts. The term of the grant will not exceed one year. This is the second grant received from the Tony Hawk Foundation in support of the ROC City Skate Park project. The City previously received a Tony Hawk Foundation Built to Play grant for \$250,000 that was authorized by City Council Ordinance No. 2018-311.

- 2. Appropriate a \$75,000 donation from the Friends of the Roc City Skatepark, Inc. to fund a portion of the ROC City Skate Park project. This is the second donation received from the Friends of the Roc City Skatepark in support of the ROC City Skate Park project. The City previously received a donation of \$10,000 that was authorized by City Council Ordinance No. 2019-240.
- 3. Amend the 2019-20 Cash Capital allocation of the Department of Recreation and Youth Services (DRYS) by \$125,000 to reflect the receipt of the grant and donation.

The ROC City Skate Park, a custom-concrete wheel-friendly skate park located under and adjacent to the Susan B Anthony/Frederick Douglass Bridge, will be the first outdoor, public skate park in Rochester. Construction of the Skate Park began in 2019 with scheduled completion in fall 2020. Please see attached master plan for the Skate Park.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-33

Ordinance No. 2020-48
 (Int. No. 59)

Authorizing funding agreements and amending the budget related to the ROC City Skate Park

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 Tony Hawk Foundation for the receipt and use of \$50,000 for improvements associated with the ROC City Skate Park, which funds are hereby appropriated for that purpose. The term of the agreement shall not exceed one year. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. The Council hereby appropriates a \$75,000 donation from Friends of the Roc City Skatepark, Inc. to fund a portion of costs of the ROC City Skate Park.

Section 3. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing Cash Capital by the sum of \$125,000 to reflect the receipt of the funds authorized in Sections 1 and 2 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2020-49
 Re: Agreement – Town and Country Travel, Inc., Tour of Historically Black Colleges And Universities

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with Town and Country Travel, Inc. (owned and operated by Teresa Johnson, Pittsford, New York) to conduct a tour of Historically Black Colleges and Universities for city youth. The cost of this agreement, which includes all transportation, hotel, food and fees, will be funded from the 2019-20 Budget of the Department of Recreation and Youth Services (DRYS). The term of the agreement will not exceed one year.

The tour will expose city youth to the college experience and reinforce the importance of school attendance, good grades and planning for the future. It will also reinforce the connection between education and careers. Approximately 25 youth ages 14-18 who participate in DRYS programs will go on the tour, planned for April 6 – April 9, 2020. They will visit colleges/universities in Delaware, Pennsylvania, and Maryland.

Town and Country Travel, Inc. was selected to provide the student tour service based on being the only local certified M/WBE travel agency. A full justification for not issuing a request for proposals is attached. This is the fourth year the City has worked with Town and Country Travel, Inc. to implement a college tour.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-34

Ordinance No. 2020-49
(Int. No. 60)

Authorizing an agreement for a tour of Historically Black Colleges and Universities for City youth

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 Town and Country Travel, Inc. in an amount not to exceed \$30,000 to conduct a tour of Historically Black Colleges and Universities for City youth who participate in Department of Recreation and Youth Services (DRYS) programs. Said amount shall be funded from the 2019-20 Budget of DRYS.

Section 2. The term of the agreement shall not exceed 1 year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-50
Re: Inter-Municipal Agreement - Rochester City School District, My Brother's Keeper

Council Priority: Support the creation of effective educational systems

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to the Rochester My Brother's Keeper program. This legislation will:

1. Authorize an inter-municipal agreement with the Rochester City School District for the receipt and use of funding for a full-time Coordinator for the Rochester My Brother's Keeper (Roc MBK) program. The maximum annual compensation will be \$88,000. The term of the agreement will be the remainder of the fiscal year, with the option to renew for three additional one-year periods.
2. Amend the 2019-20 Budget of the Department of Recreation and Youth Services (DRYS) by \$29,300 to reflect the addition of the position for the remainder of the fiscal year. The remaining funds will be anticipated and included in the 2020-21 Budget of DRYS, contingent upon approval.

My Brother's Keeper is a national initiative launched by President Barack Obama in 2014 that targets mentoring and support for the personal, academic, and social success for youth of color. The collaboration between the City of Rochester and the Rochester City School District is the basis of the Roc MBK initiative. Roc MBK programming will target youth school readiness, academic achievement, employment and workforce readiness, and safety, and will take place in both the community and in the schools.

This is the first year the City has received this funding.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-50
(Int. No. 61)

Authorizing an intermunicipal agreement for My Brother's Keeper 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 intermunicipal agreement with the Rochester City School District (RCSD) to implement the My Brother's Keeper program (the Program) and for the receipt and use of compensation from RCSD to fund the employment of a Program coordinator at an annualized rate of \$88,000 RCSD. The term of the agreement shall be for the remainder of the 2019-20 Fiscal Year, with the option to renew for up to 3 additional one-year periods.

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

Section 3. Ordinance No. 2019-161, the 2019-20 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 Youth Services by the sum of \$29,300, which amount is hereby appropriated from funds to be received under the Program agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-51
Re: Agreement Amendment – Foam Trailer Loan from New York State Department of Homeland Security and Emergency Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement amendment with the New York State Division of Homeland Security and Emergency Services (DHSES) to extend the term and add renewal options for the loan and use of a foam trailer and equipment for fire suppression. The original term of the agreement authorized by Ordinance No. 2016-34, was for two (2) years upon approval of the Office of State Comptroller, with an option to renew for an additional two (2) years. The DHSES has offered to amend the current term to extend it for an additional year through January 31, 2021, and to offer two (2) additional three (3) year renewal options thereafter.

The loan of the foam trailer and fire suppression equipment enhances the ability of the Rochester Fire Department (RFD) to assist in and support fire suppression efforts at incidents involving crude oil and other ignitable liquids. In 2014 the State formed a Foam Task Force consisting of local and state representatives to conduct a review of safety procedures and emergency response preparedness related to the shipments of volatile crude oil throughout the state. It was determined that the State would acquire foam trailers, equipment and supplies, and pre-position the equipment at strategic locations with participating agencies to support enhancement of rapid response to crude oil incidents.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-51
(Int. No. 62)

Authorizing an amendatory agreement for the loaned use of a foam trailer and equipment for fire suppression

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 Division of Homeland Security and Emergency Services (DHSES) for the loaned use of a foam trailer and fire suppression equipment to enhance the Rochester Fire Department’s ability to respond to and support fire suppression at incidents involving crude oil and other ignitable liquids. It shall amend the agreement authorized in Ordinance No. 2016-34 so as extend the current optional two-year renewal term by one additional year and to provide for two additional renewal options of 3 years each thereafter.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-52
Re: Agreement – Kimberly Johnson and Charles Murray dba Natural Life and Wellness

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing an agreement with Kimberly Johnson and Charles Murray dba Natural Life and Wellness (Rochester, NY) for implementation of a boxing demonstration project at the Clinton-Baden R-Center. The agreement will be for \$20,000 and will have an initial term of March 1 – June 30, 2020 funded by the 2019-20 Budget of the Department of Recreation and Youth Services (DRYS). The agreement will have the option to renew for one additional one-year period with maximum annual compensation of \$60,000 funded by the 2020-21 Budget of DRYS, contingent upon approval.

The boxing demonstration project will be led by Charles “The Natural” Murray, and will provide exercise and physical fitness training in accordance with standard boxing training routines as well as provide mentoring and life skills workshops. Murray is a Rochester native and an accomplished amateur boxer, who was once a candidate for the 1988 U.S. Olympic Team. Murray fought professionally for 16 years, reigning as the International Boxing Federation’s 140-pound king from 1993-94. His record was 44-9-0 with 26 knockouts. Today, he’s a personal trainer working with professional boxers and youth athletes.

The project will serve approximately 50 Rochester residents in its initial term.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-35

Ordinance No. 2020-52
(Int. No. 65)

Authorizing an agreement for a boxing demonstration 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 Charles Murray and Kimberly Johnson dba Natural Life and Wellness to provide a boxing demonstration program consisting of boxing demonstrations, exercise, physical fitness training and mentoring and life skills workshops at the Clinton-Baden R-Center. The initial term of the agreement shall be 4 months for a maximum compensation of \$20,000, with the option to renew for an additional term of 1 year for an additional compensation of \$60,000. The compensation for the initial term shall be funded from the 2019-20 Budget of the Department of Recreation and Youth Services (DRYS). The compensation for the optional renewal term, if any, shall be funded from the 2020-21 Budget of DRYS, 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.

The meeting was adjourned at 8:04 p.m.

HAZEL L. WASHINGTON
City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

March 17, 2020

Due to the social distancing and other health and safety measures necessary to slow the progress of the COVID-19 pandemic and in accordance with emergency Executive Orders issued by the Governor and Local Emergency Orders issued by the Mayor, the meeting was conducted via a phone conference call and streamed live for public viewing on the Internet via the Council's Facebook and YouTube pages.

Present –President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo – 9.

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

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

Retirement:

DRYS:

*Khammong Vilaysak

ECD:

*Stephen Cusen
*William Jackson
*Roseanne MacMaster
*Ronald Robinson

NBD:

*Zina Lagonegro

RPD:

*Antonio Jorge
*David Lyons
*Robert Nitchman
*David Smith

RPL:

*Alicia Klotzbach

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Gruber

RESOLVED, that the minutes of the Regular Meeting on February 18, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

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

The Council submits Disclosure of Interest Forms from Councilmember Gruber on Int. No. 98 and Int. No. 99 and Councilmember Harris on Int. No. 66, Int. No. 76 and Int. No. 77.

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

None Presented

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on March 12, 2020 on the following matters:

Determinations and findings relating to the acquisition of 78 Potomac Street Int. No. 74
One Speaker

Determinations and findings relating to the acquisition of properties for the Flower City School No. 54 campus modernization project
Int. No. 76
Two Speakers

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Evans
March 17, 2020

To the Council:

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

- Int. No. 66 Approving certain matters and authorizing the execution and delivery of specified documents in conjunction with the 2020 Phase of the Rochester Joint Schools Construction Board Facilities Modernization Program
- Int. No. 67 Local Law amending the City Charter with respect to delinquent tax liens, **as amended**
- Int. No. 68 Authorizing the bulk sale of delinquent tax liens
- Int. No. 69 Authorizing an agreement for firefighter physical agility tests
- Int. No. 70 Authorizing an agreement for the 2020 Puerto Rican Festival
- Int. No. 71 Authorizing an agreement for the 2020 Rochester Twilight Criterium
- Int. No. 72 Authorizing an agreement for Bureau of Architecture and Engineering structure and staffing analysis
- Int. No. 103 Authorizing Councilmember designations for agreements to support community programs and services
- Int. No. 104 Resolution approving appointments to the Board of Ethics
- Int. No. 105 Authorizing agreements and funding for the Census 2020 Complete Count Outreach Grant campaign

Respectfully submitted,
Malik Evans
LaShay D. Harris (*Abstained on Int. No. 66*)
Michael A. Patterson
Willie J. Lightfoot
Loretta C. Scott (*Absent*)
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-53
Re: COMIDA Bonding – Phase II 2020 Rochester Schools Modernization Program

Comprehensive Plan 2034 Initiative: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing the lease and leaseback of certain school parcels and buildings and other approvals necessary for the issuance of bonds by the County of Monroe Industrial Development Agency (“COMIDA”) in the maximum amount of \$55,466,081 to finance a portion of the Phase II Projects of the Rochester Schools Modernization Program (RSMP).

The Rochester Joint Schools Construction Board (RJSCB) was created by the State's Rochester School Facilities Modernization Program Act (the "Act") to manage the design, reconstruction, or rehabilitation of existing school buildings for their continued use as schools of the School District, and to create and coordinate efforts to enable compliance with, and monitor and report on, a program-wide diversity plan for the RSMP.

The legislation provided for a maximum cost and bond authorization of up to \$325 Million for Phase I of the project. From 2012 to 2015, COMIDA, at the request and with the cooperation of the School District, the City and the RJSCB, issued three series of bonds totaling \$271,380,000 to finance RSMP Phases 1A, 1B and 1C.

State legislation authorizing Phase II of the RSMP at a total maximum cost of \$435 million was signed into law in December 2014. The Phase II Master Plan completed and adopted by the School District on March 24, 2016 and by the RJSCB on April 4, 2016 provides for 13 schools to be modernized plus provision for District Wide Technology for the schools.

On August 1, 2017, COMIDA issued \$123,670,000 in School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2017 (the "Series 2017 Bonds"). On August 1, 2018, COMIDA issued \$197,295,000 in School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2018 (the "Series 2018 Bonds"). The proceeds of both these series of bonds were applied to finance the development and other costs of Phase II of the RSMP, which entails the rehabilitation of the following thirteen (13) School District schools with the following names (some of which have changed since then) and addresses:

1. James Monroe High School, 164 Alexander Street;
2. East Upper School and East Lower School (formerly known as East High School), 1801 East Main Street;
3. Edison Technology Campus, 655 Colfax Street;
4. Dr. Freddie Thomas Learning Center, 625 Scio Street;
5. School Without Walls Commencement Academy, 480 Broadway Street;
6. Children's School of Rochester 15 (formerly known as Martin B. Anderson School No. 1), 85 Hillside Avenue;
7. Clara Barton School No. 2, 190 Reynolds Street;
8. George Mather Forbes School No. 4, 198 Dr. Samuel McCree Way;
9. Abraham Lincoln School 22, 595 Upper Falls Boulevard;
10. Virgil I. Grissom School No. 7, 31 Bryan Street;
11. Dr. Walter Cooper Academy School No. 10, 353 Congress Avenue;
12. John Walton Spencer School No. 16, 321 Post Avenue; and
13. The Flower City School No. 54 (formerly known as General Elwell S. Otis School No. 30), 36 Otis Street.

The School District now proposes to finance additional costs in connection with the development and other costs of Phase II. Therefore, the School District has requested COMIDA to issue its School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2020 (the "Series 2020 Bonds") in the maximum principal amount of \$55,466,081.

The transactions authorized in this legislation will be contingent upon the approval and execution of an Amended and Restated Sublease by the School District and RJSCB and upon COMIDA's approval of the bonds and of a lease/leaseback arrangement. It is anticipated that these prerequisites will be addressed during the respective board meetings of RJSCB on March 9, the School District on March 12, and COMIDA on March 17.

All costs related to the COMIDA bonds, including issue costs and interest, as well as repayment of the bonds, will be the responsibility of the School District pursuant to an existing Cooperative Agreement between the City, the School District and the RJSCB.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-53
(Int. No. 66)

Approving certain matters and authorizing the execution and delivery of specified documents in conjunction with the 2020 Phase of the Rochester Joint Schools Construction Board Facilities Modernization Program

WHEREAS, the City of Rochester, in the County of Monroe, New York (herein called "City") has cooperated with the Rochester City School District (the "School District") and the Rochester Joint Schools Construction Board (the "RJSCB") in furtherance of the School District's Facilities Modernization Program;

WHEREAS, the RJSCB was created by the "Rochester School Facilities Modernization Program Act" (Chapter 416 of the Laws of 2007, as amended by Chapter 533 of the Laws of 2014) (the "Act"), which authorizes the RJSCB to manage the design, reconstruction, or rehabilitation of existing school buildings for their continued use as schools of the School District (the "Facilities Modernization Program" or "Program"), and to create and coordinate efforts to enable compliance with, and monitor and report on, a program-wide diversity plan for the Program;

WHEREAS, the RJSCB, the School District and the City have entered into a Cooperative Agreement dated as of February 22, 2010, and amended as of August 4, 2016 (the "Cooperative Agreement"), in order to clarify the agency arrangement and delegation of authority among the School District, the City and the RJSCB, as well as their respective obligations and expectations to achieve the objectives of the Act;

WHEREAS, on June 20, 2012, the County of Monroe Industrial Development Agency (“COMIDA”) issued its \$124,100,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2012 (the “Series 2012 Bonds”), the proceeds of which were applied to development and other costs incurred in connection with Phase 1A of the Program, the rehabilitation of twelve (12) existing School District schools, as well as a district wide technology program (collectively, the “Series 2012 Project”);

WHEREAS, on June 1, 2013, COMIDA issued its \$103,055,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2013 (the “Series 2013 Bonds”), the proceeds of which were applied to (i) development and other costs incurred in connection with Phase 1A of the Program which were not financed from the proceeds of the Series 2012 Bonds; (ii) development and other costs incurred in connection with Phase 1B of the Program; and (iii) planning and design costs incurred in connection with Phase 1C of the Program (collectively, the “Series 2013 Project”);

WHEREAS, on February 5, 2015, COMIDA issued its \$44,225,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2015 (the “Series 2015 Bonds”), the proceeds of which were applied to (i) finance costs incurred in connection with Phase 1C of the Program which were not financed from the proceeds of the Series 2013 Bonds, and (ii) additional Phase I Projects or portions thereof which were eligible under the Act and which were part of the Program (collectively, the “Series 2015 Project”);

WHEREAS, on August 1, 2017, COMIDA issued its \$123,670,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2017 (the “Series 2017 Bonds”), the proceeds of which were applied to (i) finance the development and other costs of Phase II of the Program, the rehabilitation of thirteen (13) existing School District schools with the following names (some of which have changed since then) and addresses:

1. James Monroe High School, 164 Alexander Street;
2. East Upper School and East Lower School (formerly known as East High School), 1801 East Main Street;
3. Edison Technology Campus, 655 Colfax Street;
4. Dr. Freddie Thomas Learning Center, 625 Scio Street;
5. School Without Walls Commencement Academy, 480 Broadway Street;
6. Children’s School of Rochester No. 15 (formerly known as Martin B. Anderson School No. 1), 85 Hillside Avenue;
7. Clara Barton School No. 2, 190 Reynolds Street;
8. George Mather Forbes School No. 4, 198 Dr. Samuel McCree Way;
9. Abraham Lincoln School No. 22, 595 Upper Falls Boulevard;
10. Virgil I. Grissom School No. 7, 31 Bryan Street;
11. Dr. Walter Cooper Academy School No. 10, 353 Congress Avenue;
12. John Walton Spencer School No. 16, 321 Post Avenue;
13. The Flower City School No. 54 (formerly known as General Elwell S. Otis School No. 30), 36 Otis Street;

(collectively, the “Phase II Program Schools”) and (ii) finance the payment of the principal of and a portion of the interest due on the \$32,000,000 Bond Anticipation Notes, 2017 Series I, which were authorized in Ordinance No. 2016-225 and issued by the City to provide short-term financing for Phase II of the Program (collectively, the “Series 2017 Project”);

WHEREAS, on August 1, 2018, COMIDA issued its \$197,295,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2018 (the “Series 2018 Bonds”), the proceeds of which were applied to (i) finance the development and other costs of the Phase II of the Program consisting of the rehabilitation of the 13 Phase II Program Schools listed above, (ii) finance capitalized interest for the Series 2018 Bonds, and (iii) finance the cost of issuance of the Series 2018 Bonds; and

WHEREAS, the School District now proposes to finance the development and other costs of Phase II of the Program consisting of the rehabilitation of the 13 Phase II Program Schools listed above, to the extent that such costs were not financed from the proceeds of the Series 2017 Bonds and Series 2018 Bonds, and, therefore, has requested COMIDA to issue its School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2020 (the “Series 2020 Bonds”) in the maximum principal amount of \$55,466,081, the proceeds of which are also expected to fund capitalized interest for the Series 2020 Bonds and finance the cost of issuance of the Series 2020 Bonds.

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

Section 1. The Director of Finance is hereby authorized and directed to enter into such agreements as may be necessary and appropriate to effect issuance of the Series 2020 Bonds, all in form and substance to be approved by the City’s Corporation Counsel.

Section 2. The Director of Finance and Corporation Counsel are hereby authorized and directed to comply and evidence compliance with all requirements of the Act necessary and appropriate to ensure that the Series 2020 Bonds are issued in accordance with the New York Local Finance Law and the Act and to ensure that the interest payable on the Series 2020 Bonds is the lowest possible rate obtainable under current market conditions.

Section 3. The actions authorized and directed in this ordinance shall be contingent, as evidenced by the written advice of Corporation Counsel, upon approval of the bonding by the School District and RJSCB.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber, Lightfoot, Lupien, Ortiz, Patterson, Peo -8.

Nays – None- 0.

Councilmember Harris abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law # 2

Re: Local Law – Real Property Tax Foreclosure and the Sale of Tax Liens

Comprehensive Plan 2034 Initiative: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation amending § 9-82 of the Charter to conform the language of the Charter to the current practice of selling delinquent City tax liens.

This legislation would add language to the first sentence in § 9-82 of the Charter so that § 9-82 would now read (new matter underlined):

“The judgment in any action brought under this article shall direct the cancellation or satisfaction of record of all tax liens existing on the date of the granting of the final judgment against the property foreclosed, held by any of the parties to the action, except City of Rochester tax liens levied subsequent to the plaintiff’s liens being foreclosed by the action.”

This legislation would also add a new sentence to the end of § 9-104 of the Charter so that § 9-104 would now read (new matter underlined):

“The purchaser of a delinquent tax lien pursuant to an agreement entered into under § 6-123 of this Charter, or the holder of such delinquent tax lien, shall, prior to the commencement of a foreclosure action pursuant to this Title, provide the City Treasurer with a notice of intent to foreclose the delinquent tax lien or liens. Said notice shall set forth the record owner of the property, the SBL number, and the amount of the delinquent tax lien, with all accrued interest at the time of the notice. The City may, at its sole option and discretion, elect to repurchase the lien or liens on the property from the tax lien purchaser or holder. The repurchase price shall be the amount of the lien or liens plus all accrued interest. The tax lien purchaser or holder shall provide the notice of intent to foreclose to the City Treasurer by certified mail, return receipt requested, and the City shall have 30 days from receipt of such notice to notify the tax lien purchaser or holder of the City’s election to repurchase said lien or liens. If the City elects to repurchase said lien or liens, then the City shall provide payment to the holder thereof within 30 days of the City’s exercise of its option to repurchase said lien or liens. If the City shall fail to notify the tax lien purchaser or holder of the City’s election to repurchase the lien or liens within said thirty-day period, the tax lien purchaser or holder shall immediately have the right to commence a foreclosure action pursuant to this Title. The plaintiff in any action to foreclose a delinquent tax lien pursuant to this Title shall affirmatively plead compliance with this section. The plaintiff in any action to foreclose a delinquent tax lien pursuant to this Title shall name the City as a party defendant to ensure compliance with this section.

A tax lien purchaser’s tax foreclosure action cannot cut off newer City tax liens, because newer City tax liens are always superior to older City tax liens. However, the language of § 9-82 of the Charter, if applied literally, would do exactly that. The current wording of § 9-82 was drafted in 1949, before the sale of delinquent tax liens was authorized. The addition of the new sentence to § 9-104 would ensure that the City obtains timely notice of a tax foreclosure action by a tax lien purchaser.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Law #2
(Int. No. 67, as amended)

Local Law amending the City Charter with respect to delinquent tax liens.

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending Section 9-82 thereof to read as follows:

§ 9-82 Cancellation of taxes.

The judgment in any action brought under this article shall direct the cancellation or satisfaction of record of all tax liens existing on the date of the granting of the final judgment against the property foreclosed, held by any of the parties of the action, except City of Rochester tax liens levied subsequent to the plaintiff’s liens being foreclosed by the action. The delivery of copies of said final judgment to the Treasurer of the City of Rochester and to the Director of Finance of the County of Monroe shall be authority for each of them to cancel said taxes on the books in their respective offices.

Section 2. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by amending Section 9-104 thereof to read as follows:

§ 9-104. Option of the City to repurchase.

The purchaser of a delinquent tax lien pursuant to an agreement entered into under § 6-123 of this Charter, or the holder of such delinquent tax lien, shall, prior to the commencement of a foreclosure action pursuant to this Title, provide the City

Treasurer with a notice of intent to foreclose the delinquent tax lien or liens. Said notice shall set forth the record owner of the property, the SBL number, and the amount of the delinquent tax lien, with all accrued interest at the time of the notice. The City may, at its sole option and discretion, elect to repurchase the lien or liens on the property from the tax lien purchaser or holder. The repurchase price shall be the amount of the lien or liens plus all accrued interest. The tax lien purchaser or holder shall provide the notice of intent to foreclose to the City Treasurer by certified mail, return receipt requested, and the City shall have 30 days from receipt of such notice to notify the tax lien purchaser or holder of the City's election to repurchase said lien or liens. If the City elects to repurchase said lien or liens, then the City shall provide payment to the holder thereof within 30 days of the City's exercise of its option to repurchase said lien or liens. If the City shall fail to notify the tax lien purchaser or holder of the City's election to repurchase the lien or liens within said thirty-day period, the tax lien purchaser or holder shall immediately have the right to commence a foreclosure action pursuant to this Title. The plaintiff in any action to foreclose a delinquent tax lien pursuant to this Title shall affirmatively plead compliance with this section. The plaintiff in any action to foreclose a delinquent tax lien pursuant to this Title shall name the City as a party defendant to ensure compliance with this section.

Section-2 3. This local law shall take effect on April 1, 2020 or immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law, whichever occurs later.

Strikeout indicates deleted text, new text is underlined.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-54

Re: Bulk Sale of Delinquent Tax Liens

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034: Reinforce Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the sale of 2018-2019 and prior delinquent tax liens, in bulk to American Tax Funding, LLC (ATF).

Local Law No. 8 of 2008 amended the City Charter to allow the City to conduct bulk sales of delinquent tax liens. Council Ordinance No. 2008-379 authorized three lien sales with the option for two subsequent sales. The table below summarizes the results of the sales relating to the original contract term:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Feb 2009	5,675	3,327	\$13,976,777	\$6,036,829	43.19
Sept 2009	5,444	4,864	\$11,443,795	\$4,981,986	43.53
Dec 2010	5,249	4,780	\$10,999,275	\$5,342,778	48.57
Feb 2012	4,580	4,274	\$10,336,100	\$4,578,407	44.30
Feb 2013	4,616	4,405	\$9,966,089	\$4,524,150	45.40

Council Ordinance No. 2013-398 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Mar 2014	2,033	1,977	\$4,396,376	\$2,531,023	57.57

Council Ordinance No. 2015-3 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Mar 2015	2,041	1,837	\$3,659,724	\$2,172,334	59.36

Council Ordinance No. 2016-62 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
May 2016	1,372	1,272	\$2,682,810	\$1,863,732	69.47

Council Ordinance No. 2017-77 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Jun 2017	1,886	1,645	\$3,467,862	\$2,514,348	72.50%

Council Ordinance No. 2018-25 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Mar 2018	2,449	1,997	\$4,766,377	\$3,240,485	67.99%

Council Ordinance No. 2019-45 authorized a one year agreement with ATF. The result of the sale is summarized below:

Sale Date	# of liens	# of parcels	Original value (principal + interest)	Sale price	% of original value
Apr 2019	1,381	1,251	\$2,759,582	\$1,580,699	57.28%

The City classifies liens into one of three categories, as follows:

- New Liens - Liens on properties for which ATF has not previously purchased any liens.
- Unsettled Liens- Liens on properties for which ATF had previously purchased liens that are unpaid
- Settled Liens- New liens on properties for which any previous liens sold to ATF have been paid

Under the previous agreements, ATF was granted a right of first refusal through the 2017 delinquent tax year, on New and Unsettled Liens; ATF does not have a right of first refusal on Settled Liens.

In 2013 ATFS began assigning some of its liens purchased from the City to Cheswold LLC. On January 26, 2016 Cheswold LLC was purchased by Alterna Tax Asset Group. Cheswold is now a wholly owned subsidiary of Alterna. The liens owned by Cheswold LLC are serviced by MTAG, and ATF services the liens it retains. Further, in 2017 ATF consummated the assignment of additional liens to Ebury Street Capital LLC., located in Rye New, York.

In order to increase delinquent tax collection revenue; enhance re-development efforts; reduce the presence of blighted property; and offer flexibility to homeowners, the City has historically removed certain properties from the lien sale based on review by the Department of Neighborhood and Business Development. Over the years, the lien sale has focused on the sale of high value liens and liens on owner-occupied property. Properties removed are subject to foreclosure and collection efforts with potential future ownership by the Rochester Land Bank Corporation.

This is the final year of tax lien sales. This year the city will sell, and ATF has agreed to purchase a pool of high value Unsettled Liens having a value of \$1,284,668 at a price of \$1,078,979 representing 83.99% of the original lien amount. All other lien pools (new, settled, and those unsettled liens ATFS does not wish to purchase) will be included in the City's 2020 foreclosure auction. The foreclosure action is scheduled to commence in the spring of 2020 and culminate with a fall 2020 foreclosure auction. As of December 2019 there were 4,368 liens with delinquent amounts totaling \$6,852,511 eligible for inclusion in the next foreclosure action.

As required by Ordinance No. 2008-379, the Administration will file a list of the properties with liens to be sold to ATF and the properties with liens removed from the sale and a map showing both categories.

This legislation approves the sale of this year's delinquent tax liens to ATF based upon this initial estimated dollar value and percentage amounts. The final sale dollar amount and percentage will reflect changes to the delinquent tax liens finally sold.

To reiterate, this sale concludes the sale of tax liens.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-54
(Int. No. 68)

Authorizing the bulk sale of delinquent tax liens

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 American Tax Funding, LLC (ATF) for the bulk sale of delinquent tax liens. The Council hereby approves the bulk sale of 2018-2019 and prior years' delinquent tax liens to ATF.

Section 2. The agreement shall have a term of one year and shall obligate ATF to pay to the City an amount based upon the ATF offer of \$1,078,979 for High Value Unsettled Liens.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes: President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson -7.

Nays: Councilmembers Lupien, Peo - 2.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-55

Re: Agreement – Personal Energy, Inc., Physical Agility Test for Firefighter Civil Service Examination

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$8,500 as maximum compensation for an agreement with Personal Energy, Inc. (Justin Merriam, President) of Rochester, New York, for the administration of a physical agility test for the Firefighter Civil Service Examination. The term of this agreement will be for two (2) years with the option for a two-year renewal. The cost of this agreement will be funded from the 2019-20 and future budgets of the Department of Human Resource Management, contingent upon approval of said budgets.

In 2016, Personal Energy, Inc., in collaboration with the Department of Human Resource Management and the Rochester Fire Department, developed a physical agility test to serve as a supplement to the written portion of the Firefighter Civil Service Examination. The purpose of developing this physical agility exam was to ensure that candidates who passed the written portion of the examination possessed a minimal physical ability threshold to better their chances of successfully completing the Fire Academy, which concludes with the rigorous, New York State mandated Candidate Physical Agility Test (CPAT).

Upon the development of this physical agility test, Personal Energy, Inc. was responsible for overseeing its administration to all candidates who passed the written portion of the last Firefighter Civil Service Examination, administered in December of 2015. A justification for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-36

Ordinance No. 2020-55
(Int. No. 69)

Authorizing an agreement for firefighter physical agility tests

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 Personal Energy, Inc. for the administration of a physical agility test for the Firefighter Civil Service Examination. The term of the agreement shall be two years with the option to renew for one additional two-year period. The maximum two-year compensation for the agreement shall be \$8,500, which shall be funded in the amount of \$4,250 from the 2019-20 Budget of the Department of Human Resource Management (DHRM) and \$4,250 from the 2020-21 Budget of DHRM, contingent upon approval of the latter budget. The compensation for the optional additional two-year term, if so elected, shall be funded at the rate of \$4,250 from each of the 2022-23 and 2023-24 Budgets of DHRM contingent upon their approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-56

Re: Agreement - Puerto Rican Festival

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$80,000 as maximum compensation for an agreement with the Puerto Rican Festival, Inc., (President: Orlando Ortiz) Rochester, for sponsorship of the 2020 Puerto Rican Festival. The cost of the agreement will be funded from the 2020-21 Budget of Communications, contingent on its approval. The term will be for one year.

The Puerto Rican Festival Inc. was established in 1969 for the express purpose of celebrating and recognizing the culture of Puerto Ricans. Puerto Ricans continue to be one of the largest growing Hispanic populations in New York State. This growth now makes Monroe County and the City of Rochester home to the second largest population of Hispanics in the state. The Puerto Rican Festival is the longest-running cultural festival in Monroe County.

In 2020, the 51st Puerto Rican Festival will be held in mid-August at the Frontier Field VIP Parking Lot. Each year, this well-established event draws more than 21,000 people of all cultures and ethnic backgrounds. The City has funded the festival at the \$40,000 level in 2019, 2018, and at the \$35,000 level in 2017 and 2016, and at the \$30,000 in 2015. In previous years, the City's sponsorship supported free admission for only the first two hours on the Friday and Saturday of the festival. The increase in City support this year will add another free hour of admission to Friday and Saturday, and more significantly, add on a Thursday to the festival that will feature completely free admission. This will open up the opportunity to attend the festival to a much wider range of Rochesterians. Removing the cost to enter on Thursday and providing more time to enter for free on Friday and Saturday will encourage those who may have been deterred by the price of admission to visit the festival with their friends and families.

In addition to the direct city funding, the Puerto Rican Festival, Inc. will be given the opportunity to generate additional revenue to support the festival by offering its sponsors advertising opportunities on nearby City assets through the City's pilot asset advertising program. The festival will work closely with the City's Advertising Committee for approval on each potential advertisement and the subsequent terms of the sales. The festival will be required to remit 50% of each advertisement that it sells back to the City.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-37

Ordinance No. 2020-56
(Int. No. 70)

Authorizing an agreement for the 2020 Puerto Rican Festival

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 Puerto Rican Festival, Inc. for sponsorship of the 2020 Puerto Rican Festival. The maximum compensation for the agreement shall be \$80,000, which shall be funded from the 2020-21 Budget of the Bureau of Communications, contingent upon approval. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-57
Re: Agreement - Full Moon Vista Productions, Inc., Rochester Twilight Criterium

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with Full Moon Vista Productions, Inc. (Principal: Scott Page), Rochester, New York, to support the 2020 Rochester Twilight Criterium and related competitive bicycling activities. The cost of the agreement will be funded from the 2019-20 Budget of the Bureau of Communications and the term will be for one year.

The 2020 Twilight Criterium will take place in downtown Rochester on Saturday, June 6. This event has been approved by USA Cycling and is part of the U.S. National Criterium Calendar. The Rochester Twilight Criterium is one of only 11 events in the U.S. with competition at this

level. Professional athletes from around the globe attend the event, including Olympians and world and national. Unlike many events in professional sports, this one provides an equal prize purse to both the men's and women's winners.

Races are free and open to the public and will take place throughout the afternoon and night. Last year, organizers projected that more than 25,000 spectators attended the event.

Again this year, in the hours before the races start, the City will utilize a portion of the Criterium's course to host a "Play the Riverway" event that includes active play offerings, popular characters, and the popular "Little Kids and Big Rigs," where kids can explore the City's fleet of vehicles. All of the Play the Riverway events prior to the Criterium will be free.

In addition to the direct city funding, Full Moon Vista Productions will be given the opportunity to generate additional revenue to support the free event by offering its sponsors advertising opportunities on nearby City assets through the City's pilot asset advertising program. The event will work closely with the City's Advertising Committee for approval on each potential advertisement and the subsequent terms of the sales. The festival will be required to remit 50% of each advertisement that it sells back to the City.

City Council approved \$30,000 in direct funding for the event in 2019, 2018, 2017, 2016, and 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-38

Ordinance No. 2020-57
(Int. No. 71)

Authorizing an agreement for the 2020 Rochester Twilight Criterium

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 Full Moon Vista Productions, Inc. to support the 2020 Rochester Twilight Criterium and related competitive bicycling activities. The maximum compensation for the agreement shall be \$30,000, which shall be funded from the 2019-20 Budget of the Bureau of Communications. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-58
Agreement – Center for Governmental Research Inc. (CGR), Architecture and Engineering Bureau Structure and Staffing Analysis

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$63,000 as total maximum compensation for an agreement with Center for Governmental Research Inc. (Erika Rosenberg, CEO) of Rochester, NY, for consulting services to review the Bureau of Architecture and Engineering in the City's Department of Environmental Services. The term of the agreement will be for one year and will be funded from the 2019-20 Budget for Undistributed Expense.

The Bureau of Architecture and Engineering's work has changed in recent years. Staff turnover due to retirement, a changing regulatory environment, increased development activity, and an increasing volume of grant-funded initiatives like ROC the Riverway, have affected the Bureau's workflow. The objectives of this study are to assess and evaluate whether the current staffing model is sufficient to meet current workload demands and recommend any specific changes to staffing, hierarchical structure, training and professional development, and processes (both within the Bureau and those created/managed by other departments that impact public works projects) to achieve greater efficiency and effectiveness in project completion and services delivery.

Center for Governmental Research Inc. was selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-39

Ordinance No. 2020-58
(Int. No. 72)

Authorizing an agreement for Bureau of Architecture and Engineering structure and staffing analysis

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 Center for Governmental Research Inc. to review and recommend changes to the structure and staffing of the Department of Environmental Services' Bureau of Architecture and Engineering. The maximum compensation for the agreement shall be \$63,000, which shall be funded from the 2019-20 Budget of Undistributed Expenses. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-59
Agreements - Councilmember Designations

Transmitted herewith for your approval is legislation relating to City Councilmember designations for various community programs and neighborhood groups. This legislation will authorize agreements totaling \$3,500 with the following agencies:

Agency	Amount:
The Center for Teen Empowerment, Inc.	\$2,500
Rochester Careers in Construction, Inc.	\$1,000
	\$3,500

City Councilmembers are provided a modest amount of discretionary funds to appropriate to agreements with various community agencies to provide services and programs that promote the general welfare of the city. Several organizations not named herein are eligible to receive funds directly through the administrative contract process because they did not exceed the \$10,000 ordinance threshold set by City Council for this fiscal year. The organizations designated herein require Council authorization because the sum of the compensation for the agreement proposed plus the compensation for another agreement or agreements already authorized would exceed the \$10,000 threshold.

All agreements will be funded from the 2019-20 Budget for Undistributed.

Respectfully submitted,
Loretta C. Scott
President

Willie J. Lightfoot
Vice President

Ordinance No. 2020-59
(Int. No. 103)

Authorizing Councilmember designations for agreements to support community programs and 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 agreement with each of the following organizations for maximum compensation in the Councilmember designation amount specified herein to conduct or fund community programs and services:

Agency	Amount
The Center for Teen Empowerment, Inc.	\$2,500
Rochester Careers in Construction, Inc.	\$1,000
TOTAL:	\$3,500

Section 2. The term of each agreement shall be one year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-14
Re: Appointments to the Board of Ethics

Transmitted herewith for your approval is a resolution approving the reappointment of Carl Steinbrenner and the appointments of James Patterson and Kevin Graham to the Board of Ethics. All three are City residents and their eligibility has been verified by staff.

To ensure that terms remain staggered Kevin Graham will serve a term that will expire on January 31, 2022, and Carl Steinbrenner and James Patterson will serve terms to expire on January 31, 2023.

Resumes for Carl Steinbrenner, James Patterson, and Kevin Graham are on file with the City Clerk.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2020-14
(Int. No. 104)

Resolution approving appointments to the Board of Ethics

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

Section 1. The Council hereby approves the reappointment of the following City resident to the Board of Ethics for a term that expires on January 31, 2023:

Carl Steinbrenner.

Section 2. The Council hereby approves the appointment of the following City resident to the Board of Ethics to a term that expires on January 31, 2023:

James Patterson.

Section 3. The Council hereby approves the appointment of the following City resident to the Board of Ethics to a term that expires on January 31, 2022:

Kevin Graham.

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-60
Re: Census 2020 Complete Count Outreach Grant and 2019-20 Budget Amendments

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation related to the Census 2020 Complete Count Outreach Grant. This legislation will:

1. Authorize an agreement with Empire State Development for the receipt and use of \$247,951 in anticipated funding for the 2020 Complete Count outreach campaign.
2. Transfer 75 percent of funds, or \$185,963, as required by NYS from the grant authorized herein for an agreement with the Rochester Area Community Foundation utilizing the One City Fund as a fiduciary to allow for timely disbursement of grant funds to State-approved non-profits.

3. Amend the 2019-20 Budget of the Mayor's Office by \$61,988 \$62,000 (25 percent of NYS funds) to reflect a portion of the grant revenue.

In order to achieve a complete count of Rochester residents, it must be ensured that all residents understand the census is safe, easy, and important. Outreach activities will include radio, television, digital, and print advertising supplemented by door-to-door organizing efforts. Additional investments will be made in interpretation services, social media promotion, technology access, printing and distribution of literature, and more.

New York State's Census Outreach Grant allocates separate pools of funding to both the City of Rochester and Monroe County. It requires that 75 percent of funds are disbursed to prequalified non-profits, and it allows for 25 percent of funds to remain with the respective municipalities. The City and County worked together to take funding requests from non-profits for outreach strategies for hard-to-reach populations. Together, the City and County plan on funding the following non-profits:

Organization	County	City	Purpose
Causewave Community Partners	\$50,000	\$50,000	Management of marketing campaign and ad placements.
IBERO		\$28,350	Translation, interpretation, and door-to-door outreach to Spanish-speaking population.
Catholic Family Center	\$22,000		Outreach to refugee community through door-to-door outreach and interpretation services.
Center for Disability Rights	\$18,000		Interpretation services for the Deaf community and creation of promotional videos in ASL.
Coalition of Black Trade Unionists		\$25,000	Organizing labor organizations and conducting door-to-door outreach to African-American workers.
Trillium Health		\$15,287	Outreach to LGBTQ+, homeless, and people who use drugs.
Refugees Helping Refugees		\$15,065	Door-to-door outreach to immigrant and refugee populations. Translation and interpretation services.
Literacy Rochester		\$10,000	Staffing public libraries to assist citizens with digital literacy skills to complete the census online.
Lifespan		\$8,000	Assistance for seniors taking the census.
Urban League	\$27,500		Tabling, census parties, and youth outreach.
CONEA		\$5,000	Organizing in some of the hardest-to-count census tracts. Partnership with local churches to host census parties.
RTS*	\$52,000		Wrapping buses in census advertisements and pushing out promotional material at the Transit Center.
Friends of the Rochester Public Library		\$4,000	Staff overtime to keep libraries open outside of normal hours to assist citizens with the census.
Total	\$169,500	\$160,702	

*RTS funded out of County's municipal share

In addition to these prequalified non-profits, the Complete Count Committee will fund a marketing campaign with RTS that will wrap buses in census messaging and publicize the importance of the census at the Transit Center.

The Budget of the Mayor's Office will be amended in order to hire temporary staff to augment census outreach efforts. These temporary staff will assist in door-to-door outreach, coordinate with non-profits and the US Census Bureau, and help ensure a complete count.

The One City Fund at the Rochester Area Community Foundation has existed for over a decade to assist with socially beneficial programs such as this. The Fund requires authorization from the City before making expenditures but allows for a more nimble disbursement of funds. The timeline for NYS grant disbursement leaves the City vulnerable to an undercount, but leveraging the Community Foundation as a fiduciary will allow partner organizations to receive their funding more promptly so they can begin executing on their complete count outreach strategies as soon as possible.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-60
(Int. No. 105, as amended)

Authorizing agreements and funding for the Census 2020 Complete Count Outreach Grant campaign

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 Empire State Development or one of its constituent agencies (collectively, ESD) for the receipt and use of \$247,951 in funding for the Census 2020 Complete Count Outreach Grant campaign (the Campaign). The Mayor is hereby authorized to enter into any other agreements and to execute such documents as are necessary to implement the Campaign.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Rochester Area Community Foundation to disburse up to \$185,963 to non-profit organizations that are prequalified and selected in accordance with the NYSDOS agreement to conduct outreach activities for the Campaign. The disbursements shall be funded from a portion of the Campaign funds authorized in Section 1 herein, which are hereby appropriated for that purpose.

Section 3. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Mayor’s Office by ~~\$61,988~~ \$62,000, which amount is hereby appropriated for that purpose from a portion of the Campaign funds authorized in Section 1 herein.

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

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By Councilmember Patterson
March 17, 2020

To the Council:

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

- Int. No. 73 Authorizing the sale of real estate
- Int. No. 75 Authorizing the acquisition by negotiation or condemnation of
78 Potomac Street
- Int. No. 78 Authorizing a license agreement with South Wedge Planning Committee for the use of City property as a
community garden

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

- Int. No. 74 Determinations and findings relating to the acquisition of 78 Potomac Street

The **NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE** recommends the following entitled legislation to be **HELD** in committee

- Int. No. 76 Determinations and findings relating to the acquisition of properties for the Flower City School No. 54
campus modernization project
- Int. No. 77 Authorizing the acquisition by negotiation or condemnation of properties for the Flower City School No. 54
campus modernization project

Respectfully submitted,
Michael A. Patterson
Mary Lupien
Jacklyn Ortiz
Willie J. Lightfoot
Loretta C. Scott (*Absent*)
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-61
Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing
Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

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

The first property is listed on the attached spreadsheet under the heading, I. Negotiated Sale – Improved Property. The parcel is a small lot improved by a garage serving the property at 80 Taylor Street. It is being sold to the new owner of 80 Taylor Street. The remaining four properties are listed under the heading, I. Negotiated Sale – Vacant Land. They will be sold to the Greater Rochester Housing Partnership for inclusion in their new construction program, Neighborhood Builders. The purchasers must be first time homebuyers with incomes at or below 80% AMI.

The first year projected tax revenue for these five properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,633.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-40

Ordinance No. 2020-61
(Int. No. 73)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcel improved with a garage:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
84 Taylor St	120.34-2-55	33 x 110	3,630	\$1,000	John Glover

Section 2. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
602 Clay Ave	090.48-2-53	40 x 119.5	4,780	\$425	Greater Rochester Housing Partnership
236-238 Magee Ave	090.58-1-51	50 x 119.5	5,975	\$450	Greater Rochester Housing Partnership
31 Pollard Ave	047.69-2-52	66 x 165	10,890	\$600	Greater Rochester Housing Partnership
104 Woodward St	106.66-2-47.4	90x132	11,885	\$600	Greater Rochester Housing Partnership

Section 3. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 4. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-62
Ordinance No. 2020-63
Re: Acquisition – 78 Potomac Street

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing the acquisition by negotiation or condemnation of a vacant residential property necessary to facilitate the relocation of the Forestry Division to the adjacent City-owned property at 965 Maple Street. The acquisition will be funded through 2019-20 Cash Capital. The address is noted below with the appraised value and property use:

Address	Reputed Owner	SBL #	Type	Maximum Acquisition Amount
78 Potomac Street	Frank A. Bianchi	120.32-1-46	1 Family	\$6,000

The maximum acquisition amount is supported through an independent appraisal performed as of March, 2019 and updated January, 2020 by Stephen Ferrara of Midland Appraisal Associates, Inc.

In the event that the property cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for its acquisition. In the event of condemnation, the amount set forth herein for the acquisition shall be the amount of the offer. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisition pursuant to the eminent domain procedure law.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-41

Ordinance No. 2020-62
(Int. No. 74)

Determinations and findings relating to the acquisition of 78 Potomac Street

WHEREAS, the City of Rochester proposes to acquire the parcel at 78 Potomac Street (the “Property”) to facilitate the relocation of the City’s Forestry Division facilities to share the adjacent City-owned property located at 965 Maple Street with the City’s existing Parks Operations facilities (the “Project”), and

WHEREAS, the Council of the City of Rochester held a public hearing on March 12, 2020 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of this parcel and 1 speaker appeared at the hearing.

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

Section 1. The Council hereby makes the following determinations and findings concerning the acquisition of the Property for the Project:

- A. Project description – The Project entails the City’s acquisition of 78 Potomac Street in order to add it to the adjacent City-owned parcel located at 965 Maple Street.
- B. Project purpose – To expand and situate the City-owned parcel located at 965 Maple Street so that it is sufficient to accommodate the relocation of the City’s Forestry Division facilities to the property, along with the Parks Operations facilities that are already there.
- C. Project effect – The acquisition of the Property and the overall Project will have no significant adverse environmental effects. The acquisition of the Property has been reviewed under the State Environmental Quality Review Act (“SEQR”) and Chapter 48 of the Municipal Code, a SEQR Short Environmental Assessment Form has been completed, and the acquisition has been determined to have no potential significant adverse environmental impacts, pursuant to a Negative Declaration issued by the Mayor on February 3, 2020.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-63
(Int. No. 75)

Authorizing the acquisition by negotiation or condemnation of 78 Potomac Street

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

Section 1. The Council hereby approves the acquisition of the following parcel for the maximum acquisition amount indicated to facilitate the relocation of the City’s Forestry Division facilities to share the adjacent City-owned property located at 965 Maple Street with the City’s existing Parks Operations facilities (the “Project”):

Property Address	Reputed Owner	SBL#	Type	Maximum Acquisition Amount
78 Potomac Street	Frank A. Bianchi	120.32-1-46	vacant 1 family	\$6,000

Section 2. The acquisition amount and necessary closing costs shall be funded from 2019-20 Cash Capital.

Section 3. City taxes and other current-year charges against said parcel shall be canceled from the date of acquisition closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City owns the parcel, shall also be canceled.

Section 4. In the event that any of said parcels cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings to acquire said parcel. In the event of condemnation, the amount set forth herein for the acquisition shall be the amount of the offer. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisition of said parcel pursuant to the Eminent Domain Procedure Law.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-64
Five Year License Agreement for Community Garden – South Wedge Planning Committee

Council Priority: Rebuilding and Strengthening Neighborhood Housing
Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a license agreement between the City and South Wedge Planning Committee, (Glynis Valenti, Executive Director, 224 Mount Hope Avenue, Rochester, NY) for the continued use of premises located at 122 Hamilton Street. The license agreement has a term of five (5) years, and there is no fee.

South Wedge Planning Committee (SWPC) has a garden at the premises through the City’s existing Garden Permit program and has since 2012. SWPC has demonstrated a sustainable gardening operation that is supported by the immediate neighborhood. The garden has been maintained at a high standard and has had no complaints.

The City retains the right to terminate all or part of the license with ninety (90) days written notice. The licensee will then be required to relinquish the site at the end of the prevailing growing season which is defined as December 15th of the notification year.

The Mayor is hereby authorized to enter into this license agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-64
(Int. No. 78)

Authorizing a license agreement with South Wedge Planning Committee for the use of City property as a community garden

WHEREAS, the City of Rochester has received an application from the South Wedge Planning Committee for the continued use of a City-owned parcel of land as a community garden for a term of five years; and

WHEREAS, consistent with Section 21-23 of the Municipal Code, the Council is following additional procedures due to the length of the proposed use; and

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

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

Section 1. The Mayor is hereby authorized to enter into a license agreement with South Wedge Planning Committee for the said committee to maintain a community garden at the City-owned property at 122 Hamilton Street.

Section 2. The license agreement shall have a term of five years, provided that the City shall retain the right to terminate all or part of the license upon 90 days written notice whereupon the licensee shall then be required to relinquish the site designated in such notice at the end of the prevailing growing season which is defined as December 15th of the notification year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 76
Introductory No. 77

Re: Acquisitions – 56 Aab Street, 2 Chace Street, 12 Chace Street, 291 Sherman Street, 295 Sherman Street, 301 Sherman Street

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the acquisition by negotiation or condemnation of six properties to expand the campus of Flower City School No. 54. The acquisitions are part of the School Modernization project and will be used for an expansion of the existing playground. These acquisitions will be funded through the Rochester City School District (RCSD) Cash Capital Fund in accordance with RCSD Board Resolution No. 2018-19:753 as passed May 23, 2019. The addresses are noted below with the appraised values and property use:

Flower City School No. 54 Expansion				
Address	Reputed Owner	SBL #	Type	Maximum Acquisition Amount
56 Aab Street	Brenda A. Smith	105.50-1-27	1 Family	\$43,000
2 Chace Street	Eve C. Baker	105.50-1-20	1 Family	\$29,000
12 Chace Street	Kevin P. Burke	105.50-1-25.1	1 Family	\$36,000
291 Sherman Street	VNV Properties, Inc.	105.50-1-18	2 Family	\$53,000
295 Sherman Street	Nicky & Shiloh Labrie	105.50-1-17	1 Family	\$40,000
301 Sherman Street	Nexus Capital Real Estate Specialists, LLC	105-50-1-16	1 Family	\$40,000

The maximum acquisition amounts are supported through independent appraisals performed by Steven V. Ferrara of Midland Appraisal Associates, Inc. as of July, 2019.

In the event that the properties cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for their acquisition. In the event of condemnation, the amounts set forth herein for the acquisitions shall be the amount of the offers. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisitions pursuant to the eminent domain procedure law. The RCSD will be responsible for the relocation of any existing residential occupants.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 76

DETERMINATIONS AND FINDINGS RELATING TO THE ACQUISITION OF PROPERTIES FOR THE FLOWER CITY SCHOOL NO. 54 CAMPUS MODERNIZATION PROJECT

WHEREAS, the City of Rochester proposes to acquire the parcels at 56 Aab Street, 2 Chace Street, 12 Chace Street, 291 Sherman Street, 295 Sherman Street, and 301 Sherman Street (the “Properties”) to effectuate the Flower City School No. 54 campus modernization project (the “Project”), and

WHEREAS, the Council of the City of Rochester held a public hearing on March 12, 2020 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of said parcels and 2 speakers appeared at the hearing.

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

Section 1. The Council hereby makes the following determinations and findings concerning the acquisition of the Properties for the Project:

- A. Project description – The Project will expand the Flower City School campus to satisfy New York State Education Department standards.
- B. Project purpose – to enhance student safety and wellbeing by providing sufficient space on the school campus for play fields, bus drop-off and pickup areas and parking.
- C. Relocation assistance and compensation – The Project will require the removal of several residential dwellings. In accordance with the City’s rules and regulations for relocation benefits approved in Resolution No. 2002-25, fair notice will be given to the occupants of the Properties and a moving allowance of up to \$1,000 will be provided for each dwelling unit. In addition, those occupants who request it will be provided with professional assistance to find comparable replacement housing before they are required to vacate.
- D. Project effect – The acquisition of the Properties and the overall Project will have no significant adverse environmental effects. The acquisition of the Properties has been reviewed under the State Environmental Quality Review Act (“SEQR”) and Chapter 48 of the Municipal Code, a SEQR Environmental Assessment Form has been completed, and the Project has been determined to have no potential significant adverse environmental impacts, pursuant to an Amended Negative Declaration issued by the Rochester Joint Schools Construction Board on February 10, 2020.

Section 2. This ordinance shall take effect immediately.

Held In Committee.

Introductory No. 77

AUTHORIZING THE ACQUISITION BY NEGOTIATION OR CONDEMNATION OF PROPERTIES FOR THE FLOWER CITY SCHOOL NO. 54 CAMPUS MODERNIZATION PROJECT

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

Section 1. The Council hereby approves the acquisition of the following parcels for the maximum acquisition amounts indicated to effectuate the Flower City School No. 54 campus modernization project:

Property Address	Reputed Owner	SBL#	Type	Maximum Acquisition Amount
56 Aab Street	Brenda A. Smith	105.50-1-27	1 Family	\$43,000
2 Chace Street	Eve C. Baker	105.50-1-20	1 Family	\$29,000
12 Chace Street	Kevin P. Burke	105.50-1-25.1	1 Family	\$36,000
291 Sherman Street	VNV Properties Inc.	105.50-1-18	2 Family	\$53,000
295 Sherman Street	Nicky & Shilo Labrie	105.50-1-17	1 Family	\$40,000
301 Sherman Street	Nexus Capital Real Estate SPE, LLC	105-50-1-16	1 Family	\$40,000

Section 2. The acquisition amounts and necessary relocation and closing costs shall be funded from Rochester Schools Modernization Program funds, which were appropriated on behalf of the City and the Rochester City School District by the Rochester Joint Schools Construction Board on December 9, 2019 in Resolution 2019-20: 68.

Section 3. City taxes and other current-year charges against said parcels shall be canceled from the date of acquisition closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City owns the parcels, shall also be canceled.

Section 4. In the event that any of said parcels cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings to acquire said parcel. In the event of condemnation, the amount set forth herein for the acquisition shall be the amount of the offer. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisition of said parcel pursuant to the Eminent Domain Procedure Law.

Section 5. This ordinance shall take effect immediately

Held In Committee.

By Councilmember Gruber
March 17, 2020

To the Council:

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

- | | |
|-------------|--|
| Int. No. 79 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$500,000 Bonds of said City to finance a portion of the costs of the City's 2020 Lead Service Line Replace Program, <u>as amended</u> |
| Int. No. 80 | Authorizing funding for the Brewery Line Trail project |
| Int. No. 81 | Authorizing the implementation and funding in the first instance of the State-aid Program eligible costs of capital project and appropriating funds thereof: Brewery Line Trail |
| Int. No. 82 | Authorizing funding and an agreement for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project |
| Int. No. 83 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,250,000 Bonds of said City to finance Phase 1 of the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project |
| Int. No. 84 | Local Law establishing a Sustainable Energy Loan Program (OPEN C-PACE) in the City of Rochester |
| Int. No. 85 | Authorizing a grant agreement and appropriation for La Marketa at the International Plaza |
| Int. No. 86 | Authorizing an agreement and funding for the 2020 Preventive Maintenance Group 11 project |
| Int. No. 87 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$738,000 Bonds of said City to finance the costs of the 2020 Preventive Maintenance Group 11 project |
| Int. No. 88 | Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Lyell Avenue Highway Preventive Maintenance (Group 11) |
| Int. No. 89 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$783,000 Bonds of said City to finance the Magee Avenue/Raines Park Improvement Project |
| Int. No. 90 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$693,000 Bonds of said City to finance the replacement of water mains and services along certain portions of the Magee Avenue/Raines Park Improvement Project |
| Int. No. 91 | Authorizing appropriations and an agreement for the Magee Avenue/Raines Park Improvement Project |
| Int. No. 92 | Authorizing an agreement for Maguire Building renovations |
| Int. No. 93 | Authorizing funding, an agreement, and an amendatory agreement for the Mt. Hope Avenue Phase 2 Improvement Project |
| Int. No. 94 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$860,000 Bonds of said City to finance a portion of the costs of the Mt. Hope Avenue Phase 2 Improvement Project |
| Int. No. 95 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$770,000 Bonds of said City to finance a portion of the costs of the water service improvements for the Mt. Hope Avenue Phase 2 Improvement Project |

- Int. No. 96 Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Mt. Hope Avenue from Rossiter Road to Rochester/Brighton Line
- Int. No. 97 Authorizing an amendatory agreement for Mt. Hope Cemetery Site Enhancements
- Int. No. 98 Authorizing an agreement for the Rundel Memorial Library Exterior Building Envelope Repairs project
- Int. No. 99 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$744,000 Bonds of said City to finance the costs of the Rundel Memorial Library Exterior Building Envelope Repairs
- Int. No. 100 Authorizing an amendatory agreement with Stantec Consulting Services Inc. related to Tyshaun Cauldwell R-Center for Hope Gateway Improvements

Respectfully submitted,
 Mitch Gruber (*Abstained on Int. Nos. 98 & 99*)
 Malik Evans
 Jose Peo
 Willie Lightfoot
 Loretta C. Scott (*Absent*)
 PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
 Ladies and Gentlemen:

Re: Ordinance No. 2020-65
 Bond Authorization - 2020 Lead Service Line Replacement

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$500,000 and appropriating the proceeds thereof to fund the 2020 Lead Service Line Replacement Program.

The total cost of this project is estimated to be \$600,000. The balance of funding will be \$100,000 from 2019-2020 Cash Capital.

Exposure to lead in the environment has long been known to cause adverse health effects, particularly in young children. Although most lead exposure occurs through the ingestion of chips and dust from lead paint, the Centers for Disease Control, US Environmental Protection Agency, and the New York State Department of Health have recognized that there is no safe level of lead exposure. As such, these agencies have all recommended that the maximum contaminant level goal for lead in drinking water is zero. One source of lead in drinking water is in lead service lines that convey water into customer homes.

Rochester has over 23,000 lead service lines located throughout the City, most of which were installed before World War II. The funds provided by the lead service line replacement program will be used to replace residential lead service lines in an effort to reduce the amount of lead in drinking water. It is anticipated that 122 services will be replaced. The locations for this work have been identified by selecting streets that are scheduled for Chip Seal in 2021. These streets contain water mains that have been previously cleaned and lined and that have an abundance of lead water service.

The work is expected to be performed during the spring and summer of 2020. This project will result in the creation and/or retention of the equivalent of 6 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-43

Ordinance No. 2020-65
 (Int. No. 79, as amended)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$500,000 Bonds of said City to finance a portion of the costs of the City's 2020 Lead Service Line Replacement Program

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"), hereby authorizes the issuance of \$500,000 bonds of the City to finance the costs of design and construction of the City's 2020 Lead Service Line Replacement Program on approximately 122 lead service lines along the streets indicated on the attached Schedule A. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$600,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$500,000 bonds of the City, \$100,000 in 2019-20 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 \$500,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

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 \$500,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

SCHEDULE A

2020 Lead Service Line Replacement Program

<u>Street</u>	<u>No. of Service Lines</u>
<u>Daisy Street</u>	<u>5</u>
<u>Marigold Street</u>	<u>9</u>
<u>Electric Avenue</u>	<u>33</u>
<u>Magee Avenue</u>	<u>48</u>
<u>Pierpont Street</u>	<u>27</u>
<u>TOTAL</u>	<u>122</u>

New text is underlined>.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-66
Resolution No. 2020-15
Re: Grant Acceptance – NYSDOT ROC the Riverway and RG&E Commercial Corridor/Main Street Revitalization Assistance Program, Brewery Line Trail

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Brewery Line Trail, a Phase 1 project of the ROC the Riverway initiative. This legislation will:

1. Authorize the receipt and use of \$128,000 in awarded funding from the Rochester Gas & Electric (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program, for electrical infrastructure and lighting improvements; and,
2. Appropriate \$500,000 in anticipated reimbursements from ROC the Riverway/Upstate Revitalization Initiative funding administered by the New York State Department of Transportation (NYSDOT) to finance the construction of the project; and,
3. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City’s prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns; and,
4. Amend Ordinance No. 2019-87 Section 2 to read “the amendatory compensation shall be funded in the amounts of \$13,000 from the Dormitory Authority of the State of New York grant authorized in Ordinance No. 2018-63 and \$20,000 from RG&E reimbursements authorized herein and \$30,000 from 2011-12 Cash Capital.”

The project is being designed by McCord Landscape Architecture, PLLC (Douglas McCord R.L.A., Principal, 2129 Five Mile Line Road, Penfield, NY) authorized by Ordinance No. 2018-63, amended by Ordinance 2019-87.

The project runs between the Pont de Rennes Bridge and the High Falls Overlook includes improvements to the existing trail, trail furnishings, river railing, shoring the gorge edge, opening views by clearing scrub growth, and lighting.

Construction is anticipated to begin summer 2020 with substantial completion summer 2021. This additional funding will result in the creation and/or retention of the equivalent of 6.8 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-44

Ordinance No. 2020-66
(Int. No. 80)

Authorizing funding for the Brewery Line Trail project

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

Section 1. The Council hereby authorizes the receipt and use of \$128,000 in award funding from the Rochester Gas and Electric Corporation (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program for development of the Brewery Line Trail extending along the west side of the Genesee River from the Pont de Rennes Bridge to a High Falls Overlook (the Project).

Section 2. The Council hereby appropriates \$500,000 in anticipated reimbursements from ROC the Riverway/Upstate Revitalization Initiative administered by the New York State Department of Transportation to fund construction of the Project.

Section 3. Ordinance No. 2019-87, authorizing an amendatory agreement and funding for the Brewery Line Trail, is hereby amended in section 2 as follows:

Section 2. The amendatory compensation shall be funded in the amounts of \$13,000 from the Dormitory Authority of the State of New York grant authorized in Ordinance No. 2018-63 and ~~\$50,000 from Prior Years' Cash Capital, \$20,000 from a Rochester Gas and Electric Corporation Commercial Corridor/Main Street Revitalization Assistance Program grant authorized in Ordinance No. 2020-66, and \$30,000 from 2011-12 Cash Capital.~~

Section 4. The Mayor is hereby authorized to enter into any agreements and to execute such documentation as are necessary to effectuate Project funding authorized herein and such agreements and documents shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2020-15
(Int. No. 81)

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

WHEREAS, a Project for Brewery Line Trail. Identified as PIN 4RTR.03 (the "Project") is eligible for funding under a New York State Program administered by the NYS Department of Transportation (NYSDOT);

WHEREAS, a sum not to exceed \$1,075,000.00 in Program funding is available to progress the project; and

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

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

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

THAT the Council of the City of Rochester Board hereby authorizes the City of Rochester to pay in the first instance 100% of the cost of design and construction works for the Project or portions thereof;

THAT the sum of \$1,075,000 is hereby appropriated pursuant to Ordinance No. 2020-66 (\$628,000), Ordinance No. 2018-63 (\$275,000) and Ordinance No. 2016-290 (\$172,000) and made available to cover the cost of participation in the above phase of the Project;

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-67
Ordinance No. 2020-68

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

Council Priority: Creating and Sustaining a Culture of Vibrancy and Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

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

1. Appropriate \$5,500,000 of awarded funding from Upstate Revitalization Initiative (URI), administered by the New York State Department of State (NYS DOS), to finance a portion of the project; and,
2. Establish \$1,250,000 as maximum compensation for a professional services agreement with LiRo Engineers, Inc. (Luis Tormenta, CEO, 85 Allen Street, Suite 300, Rochester, NY) for construction management services for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project. The cost of the agreement will be financed from bonds issued herein; and,
3. Authorize the issuance of bonds totaling \$1,250,000 and the appropriation of the proceeds thereof to partially finance the project.

Charles Carroll Plaza is located on the west side of the Genesee River between Main Street and Andrews Street. Much of the plaza is built on top of the Crossroads Parking Garage roof, which is deteriorated and requires waterproofing and structural repairs. The project includes the removal of the plaza to perform structural repairs to the garage roof slab underneath, replace the slab waterproofing system, and the redesign and construction of a new plaza, creating a more natural, flowing space with ADA accessible connections serving as a critical link in the Riverway Trail system.

The project will provide new park amenities, lighting and landscaping, and space for programmed activities. The project will also upgrade the existing Sister Cities Bridge, making it ADA-compliant and bicycle-friendly. The estimated overall cost of the project is \$21,000,000. \$16,000,000 of this project will be funded by ROC the Riverway funds awarded by the Honorable Governor Andrew M. Cuomo.

Planning, engineering inspections, conceptual design and public outreach began in early 2015. The design consultant is T.Y. Lin International Engineering and Architecture, P.C. (Robert J. Radley, CEO, 255 East Avenue, Rochester, NY).

The original professional services agreement was authorized by Ordinance No. 2015-71, with amendatory agreements authorized by Ordinance No. 2016-404 and Ordinance No. 2019-96.

Phase One of the project includes jacking of the existing Sister Cities Bridge span, demolition of the existing abutment, construction of a new abutment, construction of a new ADA accessible span connecting the mid-level of the plaza with the Sister Cities Bridge, removal and replacement of existing deck and railings on the Sister Cities Bridge, removal and replacement of the river railing on the west side of the Genesee River between East Main Street and Andrews Street, removal and replacement of the river railing on the east side of the Genesee River between the Sister Cities Bridge and Andrews Street, construction of an ADA accessible ramp from the east end of the Sister Cities Bridge to Bragdon Place, and removal and replacement of site lighting on the bridge and along the west side of the Genesee River. Final development of Phase Two construction documents is underway.

Phase one of the project is financed as follows:

	Construction	CM/RPR	Total
URI / NYSDOS Funding as appropriated herein	5,500,000	0	\$5,500,000
Debt authorized herein	0	1,250,000	\$1,250,000
Total	\$5,500,000	\$1,250,000	\$6,750,000

LiRo Engineers, Inc. was selected for construction management through a Request for Proposal process, which is described in the attached summary. The proposals were reviewed and rated based on construction management of both phases of the project. The agreement will be amended when the next phase is ready for construction. The agreement shall have a term of three (3) months after a two-year guarantee inspection of the project.

Construction is anticipated to begin in spring 2020 with scheduled completion in fall 2022. This phase of the project will result in the creation and/or retention of the equivalent of 73.4 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-45

Ordinance No. 2020-67
 (Int. No. 82)

Authorizing funding and an agreement for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

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

Section 1. The Council hereby appropriates \$5,500,000 to fund a portion of the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project (the Project). This appropriation shall come from a portion of the \$16,000,000 in Urban

Revitalization Initiative grant funds administered by the New York State Department of State that were allocated to the Riverway Main to Andrews West segment of the ROC the Riverway initiative by Ordinance No. 2019-62.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with LiRo Engineers, Inc. to provide construction management services for the Project. The maximum compensation for the agreement shall be \$1,250,000, which shall be funded from the proceeds of City bonds authorized in a concurrent ordinance. The term of the agreement shall continue to 3 months after completion of a 2-year guarantee inspection of the Project.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-68
(Int. No. 83)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,250,000 Bonds of said City to finance Phase 1 of the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of Phase 1 of the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project consisting of constructing a new elevated ADA-accessible span connecting the mid-level of the plaza on the west side of the river with the Sister Cities Bridge, constructing an ADA accessible ramp from the east side of the Sister Cities Bridge to Bragdon Place, demolishing the existing abutment, constructing a new abutment, removing and replacing the river railing along the west side of the river between East Main and Andrews streets, and removing and replacing site lighting on the bridge and along the west side of the river (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 \$6,750,000. The plan of financing includes the issuance of \$1,250,000 bonds of the City, which amount is hereby appropriated for the Project, \$5,500,000 in anticipated reimbursements in Urban Revitalization Initiative grant funds administered by the New York State Department of State appropriated to the Project in an ordinance adopted concurrently herewith, 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 \$1,250,000 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 \$1,250,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.10 of the Law, is twenty (20) 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:

Local Law #3
Re: Authorizing a Local Law- Energize NY Open C-PACE Financing Program, and Authorizing a Municipal Agreement – Energy Improvement Corporation

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the establishment of the Energize NY Open Commercial-Property Assessed Clean Energy (C-PACE) financing program in the City of Rochester. Open C-PACE provides funding for energy improvement and renewable energy projects by qualified property owners. In New York State, PACE loans are administered by the Energy Improvement Corporation (EIC), a State-wide non-profit local development corporation.

This legislation will:

1. Authorize a local law enabling the establishment of Open C-PACE in the City of Rochester
2. Authorize the Mayor to enter into a municipal agreement with EIC for program administration

PACE financing is a New York State Energy Research and Development Authority (NYSERDA) Clean Energy Community High Impact Action. The City of Rochester was designated a NYSERDA Clean Energy Community in 2017.

Under Open C-PACE, financing from EIC-approved capital providers is available for up to 100% of the energy project cost, or can be combined with other project financing and includes customizable loan terms up to the expected life of the improvement(s). Repayment of loans is secured through filing a Benefit Assessment Lien on the property. The benefit assessment lien is subordinate to municipal taxes and senior to other liens (consent from mortgage holder is required) and automatically transfers to a new owner upon sale of the property. Open C-PACE financing is available for energy efficiency and renewable energy measures qualified according to NYSERDA's C-PACE guidelines. In existing building renovations and additions, energy efficiency improvements include HVAC upgrades, lighting, insulation, windows, and building energy controls. Eligible renewable projects include development of solar photovoltaics, solar thermal, energy storage, ground source heat pumps and wood heat for new and existing buildings.

Under Open C-PACE, EIC is responsible for program administration and there is no cost to the City. The City and EIC will provide applications for the program on their websites; all applications will be reviewed by EIC, acting on behalf of the City. The EIC will make a positive or negative determination on the application. If a positive determination is made by EIC, the owner will be deemed a Qualified Property Owner and will be eligible to participate in the program after execution of a finance agreement between the property owner and the financing party. The EIC will be responsible for billing the property owner annually and collecting the loan payments.

If any property owner fails to pay the annual installment amount the lender may redeem the property by paying the amount of any unpaid municipal liens and then collecting delinquent annual installment liens by foreclosure or any other remedy available at law.

PACE Financing was authorized in New York State by Article 5-L in 2009 and amended in 2017. The program was amended in April, 2019 to allow for the newest version, Open C-Pace. Since the last amendment several communities across New York state have adopted Open C Pace or are in the process of establishing an Open C PACE program including: Broome County, Niagara County, Oneida County, City of Saratoga Springs, City of New Rochelle, City of Canandaigua, Albany County, City of Geneva, City of Niagara Falls, City of Syracuse and the City of Buffalo..

Adoption of PACE financing was identified as an implementation action in the 2034 Master Plan adopted in November, 2019 and in the City of Rochester Community-wide Climate Action Plan (CAP) endorsed by City Council in May, 2017.

Establishment of an Open C-PACE program will provide eligible property owners with the ability to create energy efficient, sustainable buildings with clean, renewable energy, save money on utility bills, foster economic development through increased energy efficiency and clean energy jobs, and provide significant greenhouse gas emissions reductions in Rochester.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Law #3
(Int. No. 84)

Local Law establishing a Sustainable Energy Loan Program (OPEN C-PACE) in the City of Rochester

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended, by adding Part K to Article VI, Department of Finance, to read as follows:

Part K Energize NY Open C-PACE Financing Program

§ 6-151. Legislative findings, intent and purpose, authority.

- A. It is the policy of both the Municipality and the State of New York (the “State”) to achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The Municipality finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This Part, enacted by local law, establishes a program that will allow the Energy Improvement Corporation (as defined below, “EIC”), a local development corporation, acting on behalf of the Municipality pursuant to the municipal agreement (the “Municipal Agreement”) to be entered into between the Municipality and EIC, to make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this Part and accomplishing an important public purpose. This Part provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the “Enabling Act”).
- B. The Municipality is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this Part.
- C. This Part, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the “Energize NY Open C-PACE Local Law”.

§ 6-152. Definitions

- A. Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.
- B. For purposes of this Part, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

Annual Installment Amount – shall have the meaning assigned in Section 6-158, paragraph B.

Annual Installment Lien – shall have the meaning assigned in Section 6-158, paragraph B.

Authority – the New York State Energy Research and Development Authority.

Benefit Assessment Lien – shall have the meaning assigned in Section 6-153, paragraph A.

Benefited Property – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.

Benefited Property Owner – the owner of record of a Benefited Property.

EIC – the Energy Improvement Corporation, a local development corporation, duly organized under section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of the Municipality to implement the Program by providing funds to Qualified Property Owners and providing for repayment of such funds from money collected by or on behalf of the Municipality as a charge to be levied on the real property.

Eligible Costs – costs incurred by the Benefited Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC’s Program administration fee, closing costs and fees, title and appraisal fees, professionals’ fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement

Enabling Act – Article 5-L of the General Municipal Law of the State, or a successor law, as in effect from time to time.

Finance Agreement – the finance agreement described in Section 6-156, paragraph A of this Part.

Financing Charges – all charges, fees and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties as a result of a default or late payment and costs and reasonable attorneys’ fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefited Property to enforce any delinquent Annual Installment Liens.

Financing Parties – Third party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into separate agreements with EIC to administer the Program in the Municipality.

Municipality – the City of Rochester, a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL of the State.

Municipal Lien – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or governmentally imposed assessments in respect of services or benefits to a Qualified Property.

Non-Municipal Lien – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.

Program – the Energize NY Open C-PACE Financing Program authorized hereby.

Qualified Project – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy System Feasibility Study and/or other requirements under or pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.

Qualified Property – Any real property other than a residential building containing less than three dwelling units, which is within the boundaries of the Municipality that has been determined to be eligible to participate in the Program under the procedures for eligibility set forth under this Part and the Enabling Act and has become the site of a Qualified Project.

Qualified Property Owner – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation in the Program as an owner, and any transferee owner of such Qualified Property.

RPTL – the Real Property Tax Law of the State, as amended from time to time.

Secured Amount – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 6-158, paragraph C.

State – the State of New York.

§ 6-153. Establishment of an Energize NY Open C-PACE Financing Program

- A. An Energize NY Open C-PACE Financing Program is hereby established by the Municipality, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this Part, to finance the acquisition, construction, reconstruction, and installation of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of the Municipality, and with the consent of the Benefited Property Owner, will record a Benefit Assessment Lien on the Benefited Property in the Secured Amount (the “Benefit Assessment Lien”) on the land records for the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality.
- B. Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a Benefit Assessment Lien, a written consent from each existing mortgage holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

§ 6-154. Procedures for eligibility

- A. Any property owner in the Municipality may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the Municipality’s offices.
- B. Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of the Municipality, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and § 6-155 of this Part. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC, acting on behalf of the Municipality, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with § 6-156 of this Part.

§ 6-155. Application criteria

Upon the submission of an application, EIC, acting on behalf of the Municipality, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

- A. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;
- B. The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- C. Sufficient funds are available from Financing Parties to provide financing to the property owner;
- D. The property owner is current in payments on any existing mortgage on the Qualified Property;
- E. The property owner is current in payments on any real property taxes on the Qualified Property; and
- F. Such additional criteria, not inconsistent with the criteria set forth above, as the State, the Municipality, or EIC acting on its behalf, or other Financing Parties may set from time to time.

§ 6-156. Energize NY Finance Agreement

- A. A Qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of the Municipality, shall be a third-party beneficiary (the "Finance Agreement"). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a "Benefited Property").
- B. Upon execution and delivery of the Finance Agreement, the Benefited Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the Enabling Act, the Municipal Agreement and this Part have been met.
- C. The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.
- D. EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

§ 6-157. Terms and conditions of repayment

The Finance Agreement shall set forth the terms and conditions of repayment in accordance with the following:

- A. The principal amount of the funds loaned to the Benefited Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefited Property and will be evidenced by a Benefit Assessment Lien recorded against the Benefited Property on the land records on which liens are recorded for properties within the Municipality. The special benefit assessment shall constitute a "charge" within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied, billed and collected by EIC, on behalf of the Municipality, and shall be paid to the Financing Party as provided in the Finance Agreement.
- B. The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefited Property Owner and the Financing Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of the Municipality.
- C. The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of the Municipality, as provided in the Finance Agreement.

§ 6-158. Levy of Annual Installment Amount and Creation of Annual Installment Lien

- A. Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefited Property in favor of the Municipality. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of the Municipality, in the land records for properties in the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by the Municipality.
- B. The Finance Agreement shall provide for the repayment of the Secured Amount in installments made at least annually, as provided in a schedule attached to the Benefit Assessment Lien (the "Annual Installment Amount"). The Annual Installment Amount shall be levied by EIC, on behalf of the Municipality, on the Benefited Property in the same manner as levies for municipal charges, shall become a lien on the Benefited Property as of the first day of July of the fiscal year for which levied (the "Annual Installment Lien") and shall remain a lien until paid. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. Payment to the Financing Party shall be considered payment for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the

Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.

- C. The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each Annual Installment Lien shall be subordinate to all Municipal Liens, whether created by Section 902 of the RPTL or by any other State or local law. No portion of a Secured Amount shall be recovered by the Municipality, EIC, or an assignee upon foreclosure, sale or other disposition of the Benefited Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien, however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.
- D. Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefited Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefited Property and shall be collected by EIC, on behalf of the Municipality, at the same time and in the same manner as real property taxes or municipal charges. Each Annual Installment Lien shall remain a lien until paid. Amounts collected in respect of an Annual Installment Lien shall be remitted to EIC, on behalf of the Municipality, or the Financing Party, as may be provided in the Finance Agreement.
- E. EIC shall act as the Municipality’s agent in collection of the Annual Installment Amounts. If any Benefited Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefited Property by paying the amount of all unpaid Municipal Liens thereon, and thereafter shall have the right to collect any amounts in respect of an Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.
- F. EIC, on behalf of the Municipality, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the Municipality, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as the Municipality would have had if the Benefit Assessment Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection.

§ 6-159. Verification and report

EIC, on behalf of the Municipality, shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

§ 6-160. Separability.

If any clause, sentence, paragraph, section, or part of this Part shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

Section 2. This local law shall take effect upon its filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-69

Re: Grant Acceptance and Appropriation– Rochester Gas & Electric, La Marketa at the International Plaza

Council Priority: Creating & Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation to authorize the receipt and use of \$220,000 in awarded funding from the Rochester Gas & Electric (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program for electrical infrastructure and lighting improvements. The grant will reimburse the City up to \$20,000 for development of construction drawings and up to \$200,000 for installation of lighting and electrical infrastructure.

The La Marketa at the International Plaza project is creating a dynamic public event space and marketplace within the heart of the North Clinton Avenue neighborhood. La Marketa will provide a community gathering space to celebrate and build on the tremendous arts and cultural assets of the surrounding neighborhood and a place where local entrepreneurs and/or existing businesses can locate and sell their products and services in a low risk, low cost, flexible environment envisioned to become an incubator for neighborhood economic development.

The project will include permanent restroom and storage building, covered bandstand, dedicated parking lot, central events plaza and access paths, site lighting, perimeter fencing, site amenities, and landscape enhancements. In addition, the project will be providing converted shipping containers for seasonal and year-round retail use.

Project construction is underway with anticipated substantial completion in summer 2020. The grant funding will result in the creation and/or retention of the equivalent of 2.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-46

Ordinance No. 2020-69
(Int. No. 85)

Authorizing a grant agreement and appropriation for La Marketa at the International Plaza

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 Rochester Gas & Electric (RG&E) for the receipt and use of RG&E Commercial Corridor/Main Street Revitalization Assistance Program funds in the amount of \$220,000 to install electrical infrastructure and lighting improvements at La Marketa at the International Plaza (the Project).

Section 2. The Mayor is hereby authorized to enter into any agreement and to execute such documentation as are necessary to effectuate the Project funding authorized herein and such agreements and documents shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-70
Ordinance No. 2020-71
Resolution No. 2020-16

Re: 2020 Preventive Maintenance Group 11 Lyell Avenue (Mt. Read Boulevard to State Street)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the 2020 Preventive Maintenance Group 11 Project. This legislation will:

1. Appropriate \$2,664,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the construction and Resident Project Representation (RPR) services for the project; and,
2. Appropriate \$376,050 in anticipated reimbursements from the New York State Marchiselli Aid Program to finance a portion of the construction and RPR services for the project; and,
3. Authorize the issuance of bonds totaling \$738,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and RPR services for the project; and,
4. Establish \$575,000 as maximum compensation for a professional services agreement with Ravi Engineering and Land Surveying, P.C. (Nagappa Ravindra, P.E., President, 2110 S. Clinton Ave, Suite 1, Rochester, NY) for RPR services for the project; and,
5. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City's prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This is a Federal Aid Project that is administered by the City under an agreement with the NYSDOT.

This project includes milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

The project was designed by T.Y. Lin International Engineering, Architecture and Land Surveying, P.C. (James Krapf, P.E., Principal, 255 East Avenue, Rochester, NY), as authorized in January 2017 (Ordinance No. 2017-12).

Ravi Engineering and Land Surveying, P.C. was selected to provide RPR services from the NYSDOT list of pre-approved regional engineering firms, which is described in the attached summary. The term for the agreement shall continue until six (6) months after final completion of the project.

Bids for construction were received on January 17, 2020. The apparent low bid of \$3,351,000.40 was submitted by Sealand Contractors, Corp.

The project will be funded as follows:

	Construction	RPR	Total
Federal Aid appropriated herein	2,273,831.93	390,168.07	\$2,664,000.00
Marchiselli Aid Appropriated herein	320,973.91	55,076.09	\$376,050.00
Bonds authorized herein	657,565.97	80,434.03	\$738,000.00
2016-17 Cash Capital	11,237.95	46,632.35	\$57,870.30
2017-18 Cash Capital	8,422.75	2,689.46	\$11,112.21
2019-20 Cash Capital	10,490.40	0	\$10,490.40
Anticipated Pure Waters Reimbursement authorized Ordinance No. 2016-160	51,170.22	0	\$51,170.22
Anticipated Pure Waters Reimbursement authorized Ordinance No. 2016-376	17,307.27	0	\$17,307.27
Total	\$3,351,000.40	\$575,000.00	\$3,926,000.40

Construction is anticipated to begin in spring 2020 with substantial completion in fall 2020. The project will result in the creation and/or retention of the equivalent of 42.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-47

Ordinance No. 2020-70
(Int. No. 86)

Authorizing an agreement and funding for the 2020 Preventive Maintenance Group 11 project

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

Section 1. The sum of \$2,664,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the construction and Resident Project Representation (RPR) services for the Preventive Maintenance Group 11 project on Lyell Avenue from Mt. Read Boulevard to State Street (Project).

Section 2. The sum of \$376,050 in anticipated reimbursements from the New York State Marchiselli Aid Program is hereby appropriated to fund a portion of the construction and RPR services for the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Ravi Engineering and Land Surveying, P.C. to provide RPR services for the Project. The maximum compensation for the agreement shall be \$575,000 which shall be funded by \$390,168.07 from the FHWA reimbursements appropriated in Section 1 herein, \$55,076.09 from Marchiselli Aid reimbursements appropriated in Section 2 herein, \$80,434.03 from the proceeds of City bonds authorized in a concurrent ordinance, \$46,632.35 in 2016-17 Cash Capital, and \$2,689.46 from 2017-18 Cash Capital. The term of the agreement shall continue until six months after final completion of the Project.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-71
(Int. No. 87)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$738,000 Bonds of said City to finance the costs of the 2020 Preventive Maintenance Group 11 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 milling and resurfacing of street pavement, spot curb replacements, installing or upgrading sidewalk curb ramps, adjusting and repairing manholes, receiving basins and water valve castings, and replacing of traffic markings on Lyell Avenue from Mt. Read Boulevard to State Street for the 2020 Preventive Maintenance Group 11 project (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,926,000. The plan of financing includes the issuance of \$738,000 in bonds of the City, which amount is hereby appropriated therefor, \$2,664,000 in anticipated reimbursements from the Federal Highway Administration appropriated in a concurrent ordinance, \$376,050 in State Marchiselli Aid appropriated in a concurrent ordinance, \$57,870 in 2016-17 Cash Capital, \$11,112 in 2017-18 Cash Capital, \$10,491 in 2019-20 Cash Capital, \$51,170 in anticipated reimbursements from Pure Waters authorized in Ordinance No. 2016-160, and \$17,307 in anticipated reimbursements from Pure Waters authorized in Ordinance No. 2016-376 and hereby appropriated therefor, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$738,000 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 \$738,000. 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 Section 11.00 a. 20. of the Law, is fifteen (15) years.

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

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

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

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

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

Passed unanimously.

Resolution No. 2020-16
(Int. No. 88)

Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Lyell Avenue Highway Preventive Maintenance (Group 11)

WHEREAS, a Project for Lyell Avenue Highway Preventive Maintenance (Group 11), P.I.N. 4CR0.04 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of design, construction and construction inspection services.

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

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

THAT the Council of the City of Rochester Board hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of design, construction and construction inspection works for the Project or portions thereof;

THAT the sum of \$4,279,000 is hereby appropriated pursuant to Ordinance No. 2017-12 (\$328,000), Ordinance No. 2020-38 (\$25,000), and Ordinance Nos. 2020-70 and 2020-71 (\$3,926,000) and made available to cover the cost of participation in the above phase of the Project;

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-72
Ordinance No. 2020-73
Ordinance No. 2020-74

Re: Magee Avenue / Raines Park Improvement Project

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Magee Avenue/Raines Park Improvement Project. This legislation will:

1. Authorize the issuance of bonds totaling \$783,000 and the appropriation of the proceeds thereof to partially finance construction and Resident Project Representation (RPR) services for the project; and,
2. Authorize the issuance of water bonds totaling \$693,000 and the proceeds to partially finance the water portion of construction and RPR services for the project; and,
3. Appropriate \$400,000 from the Community Development Block Grant (CDBG) Residential Street Rehabilitation allocation of the General Community Needs fund for infrastructure improvements; \$200,000 from 2018-19 and \$200,000 from 2019-20; and,
4. Establish \$250,000 as maximum compensation for a professional services agreement with Passero Associates Engineering & Architecture, PLLC, (John Caruso, P.E., CEO, 242 W. Main Street, Suite 100, Rochester, NY) for RPR services for the project.

The project includes reconstruction/rehabilitation of the pavement and geometric changes at the intersections. Improvements will also include new sidewalk, curb ramps, driveway aprons, receiving basins, water main, water services south of Clay Avenue, relocation of two street lights, and restoration of grass areas.

The project was designed by Department of Environmental Services Bureau of Architecture and Engineering Street Design division staff.

Passero Associates Engineering & Architecture, PLLC was selected for RPR Services through a Request for Proposal process which is described in the attached summary. The agreement shall have a term of three (3) months after completion of a two (2) year guarantee inspection of the project.

A public meeting was held on February 15, 2018 and March 5, 2019. A copy of the public meeting minutes are attached.

Bids for construction were received on January 21, 2020. The apparent low bid of \$1,698,466.50 was submitted by Seneca Roadways, Inc.

The project will be funded as follows:

	Construction	RPR	Contingency	Total
CDBG funds appropriated herein	400,000.00	0	0	\$400,000
Bonds authorized herein	521,012.46	120,000	141,987.54	\$783,000
Water bonds appropriated herein	541,738.68	70,000	81,261.32	\$693,000
2016-17 Cash Capital	0	50,000	0	\$50,000
2017-18 Cash Capital	0	10,000	0	\$10,000
Anticipated Pure Waters Reimbursement authorized Ordinance No. 2016-160	95,000	0	0	\$95,000
Anticipated Pure Waters Reimbursement authorized Ordinance No. 2016-376	111,874	0	0	\$111,874
Anticipated Pure Waters Reimbursement authorized 2018-367	28,841.36	0	35,700.00	\$64,541.36
Total	\$1,698,466.50	\$250,000	\$258,948.86	\$2,207,415.36

Construction is anticipated to begin in spring of 2020 with substantial completion in summer 2020. The project will result in the creation and/or retention of the equivalent of 24 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-48

Ordinance No. 2020-72
(Int. No. 89)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$783,000 Bonds of said City to finance the Magee Avenue/Raines Park Improvement Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the cost of reconstructing /rehabilitating the pavement, implementing geometric changes at intersections, installing new sidewalks, curb ramps, driveway aprons, and receiving basins, relocating 2 street lights, and restoring grass areas on and along Magee Avenue (between and encompassing

its two offset intersections with Raines Park) and Raines Park (from Flower City Park to and including the easternmost of its two offset intersections with Magee Avenue) comprising the Magee Avenue/Raines Park Improvement Project (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 \$1,514,415. The plan of financing includes the issuance of \$783,000 bonds of the City, which amount is hereby appropriated therefor, \$200,000 from the Residential Street Rehabilitation allocation of the Consolidated Community Development Plan/2018-19 Annual Action Plan, which is appropriated in a concurrent ordinance, \$200,000 from the Residential Street Rehabilitation allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan, which is appropriated in a concurrent ordinance, \$50,000 from 2016-17 Cash Capital, \$10,000 from 2017-18 Cash Capital, the application of \$95,000 in Monroe County Pure Waters reimbursements for sewer work associated with street improvement projects that was appropriated in Ordinance No 2016-160, the application of \$111,874 in Monroe County Pure Waters reimbursements for sewer work associated with street improvement projects that was appropriated in Ordinance No 2016-376, the application of \$64,541 in Monroe County Pure Waters reimbursements for sewer work associated with street improvement projects that was appropriated in Ordinance No 2018-367 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 \$783,000 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 \$783,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2020-73
(Int. No. 90)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$693,000 Bonds of said City to finance the replacement of water mains and services along certain portions of the Magee Avenue/Raines Park Improvement 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 cost of the replacement of water lines and services along portions of Magee Avenue (between and encompassing its two offset intersections with

Raines Park) and Raines Park (from Flower City Park to and including the easternmost of its two offset intersections with Magee Avenue) comprising the Magee Avenue/Raines Park Improvement Project (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 \$693,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$693,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$693,000 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 \$693,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2020-74
(Int. No. 91)

Authorizing appropriations and an agreement for the Magee Avenue/Raines Park Improvement Project

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

Section 1. The Council hereby appropriates \$400,000 for construction of the Magee Avenue/Raines Park Improvement Project (the Project), comprised of \$200,000 from the Residential Street Rehabilitation allocation of the Consolidated Community Development Plan/2018-19 Annual Action Plan and \$200,000 from the Residential Street Rehabilitation allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates Engineering & Architecture, PLLC in the maximum amount of \$250,000 to provide resident project representation services for the Project. Said amount shall be funded in the amounts of \$120,000 in street work bonds issued for the Project in a concurrent ordinance, \$70,000 in water service bonds

issued for the Project in a concurrent ordinance, \$50,000 of 2016-17 Cash Capital, and \$10,000 of 2017-18 Cash Capital. The term of the agreement shall extend until three months after completion of the Project’s two-year guarantee inspection.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-75
Re: Agreement – Stantec Consulting Services Inc. Maguire Building Renovations

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$200,000 as maximum compensation for an agreement with Stantec Consulting Services Inc., (James Hofmann, Principal, 61 Commercial Street, Rochester, NY) for design phase and construction administration services for Maguire Building Renovations. The cost of the agreement will be financed from the 2019-20 Cash Capital.

The agreement includes design phase and construction administration services for renovations to the Maguire Building for a new indoor sports training facility at the soccer stadium including turf and court sports training areas, classroom training room, weight lifting room, restroom upgrades, new mechanical, heating and air conditioning equipment, and the relocation of scoreboard equipment.

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

Design phase services will begin in spring 2020. Construction is anticipated to begin in late 2020 with anticipated substantial completion in summer 2021. The agreement will result in the creation and/or retention of the equivalent of 2.2 full-time jobs.

The City intends to acquire the Maguire Building, which is currently owned by the Rochester Economic Development Corporation (REDCO), prior to the construction project.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-49

Ordinance No. 2020-75
(Int. No. 92)

Authorizing an agreement for Maguire Building renovations

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 Stantec Consulting Services Inc. to provide design phase and construction administration services for renovations to the Maguire Building, 448 Smith Street, to create an indoor Rochester Community and Youth Sports Complex (the Project). The maximum compensation for the agreement shall be \$200,000, which shall be funded from 2019-20 Cash Capital. The term of the agreement shall continue until 3 months after the Project’s two-year guarantee inspection.

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. 2020-76
 Ordinance No. 2020-77
 Ordinance No. 2020-78
 Resolution No. 2020-17

Re: Mt. Hope Avenue Improvement Project – Phase II

Council Priority: Creating and Sustaining a Culture of Vibrancy and Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems and Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the Mt. Hope Avenue Improvements – Phase II. This legislation will:

1. Appropriate \$5,400,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the construction and Resident Project Representation (RPR) services for the project; and,
2. Appropriate \$1,000,000 in anticipated reimbursements from the New York State Marchiselli Aid Program to finance a portion of the construction and RPR services for the project; and,
3. Appropriate \$26,400 in anticipated reimbursements from the New York State Marchiselli Aid Program to finance a portion of the design services for the project; and,
4. Authorize the receipt and use of \$200,000 in Dormitory Authority of the State of New York (DASNY) funds to finance a portion of the construction for the project; and,
5. Authorize the issuance of bonds totaling \$860,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and RPR services for the project; and,
6. Authorize the issuance of water bonds totaling \$770,000 and the appropriation of the proceeds thereof to partially finance a portion of the water main, water services, hydrants, and RPR services for the project; and
7. Establish \$1,100,000 as maximum compensation for a professional services agreement with T.Y. Lin International Engineering & Architecture, P.C. (James Krapf, P.E., Principal, 255 East Avenue, Rochester, NY) for RPR services for the project. The cost of the agreement will be funded from the sources outlined in the chart on the following page; and,
8. Authorize an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro Giovenco, P.E., CEO, 280 E. Broad Suite 200, Rochester, NY) to provide construction administration support services related to the project. This amendment will increase the compensation by \$100,000 to a maximum total of \$671,027.

The amendatory agreement authorized in June 2017 (Ordinance No. 2017-185) established maximum compensation at \$571,027. This additional cost will be funded with \$26,400 of anticipated reimbursements from the New York State Marchiselli Aid Program and \$73,600 of 2018-19 Cash Capital.

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

This project includes street reconstruction of Mt. Hope Avenue from Rossiter Road to Westfall Road/Westmoreland Drive. Side streets will be slightly realigned at their intersections with Mt. Hope Avenue. Improvements will also include new sidewalk, curb ramps, driveway aprons, receiving basins, water main, water services, hydrants, lighting, signals, signing, pavement markings, parking bump outs, tree plantings, and other various streetscape improvements. Utility poles will be relocated to accommodate the pavement widening.

The project was designed by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Ordinance No. 2015-198, Ordinance No. 2016-243, Ordinance No. 2016-268, Ordinance No. 2017-185, and Ordinance No. 2019-133).

T.Y. Lin International Engineering & Architecture, P.C. was selected for RPR services from the NYSDOT list of pre-approved regional engineering firms. The term for the agreement shall continue until six (6) months after completion of the project.

The DASNY Grant for \$200,000 authorized herein was secured through sponsorship by Assemblyman Harry B. Bronson.

Bids for construction were received on February 6, 2020. The apparent low bid of \$7,338,117.60 was submitted by Sealand Contractors Corporation (Daniel Bree, CEO, 85 High Tech Drive, Rush, NY). The project will be funded as follows:

	Rochester Gas & Electric work	Construction	RPR	Total
Federal Aid appropriated herein	0	4,696,051.53	703,948.47	\$5,400,000.00
Marchiselli Aid Appropriated herein	0	869,639.17	130,360.83	\$1,000,000.00
Bonds authorized herein	0	805,428.37	54,571.63	\$860,000.00
Water bonds authorized herein	0	676,966.53	93,033.47	770,000.00
Grant appropriated herein	117,341.26	82,658.74	0	\$200,000.00
2013-14 Cash Capital	0	10,000	5,472.12	\$15,472.12
2017-18 Cash Capital	0		99,621.67	\$99,621.67
2018-19 Cash Capital	0	84,453.49	12,991.81	\$97,445.30
Pure Waters Reimbursement authorized Ordinance No. 2018-39	0	112,919.77	0	\$112,919.77
Total	\$117,341.26	\$7,338,117.60	\$1,100,000.00	\$8,555,458.86

Construction is anticipated to begin in spring 2020 with substantial completion by fall 2021. The project will result in the creation and/or retention of the equivalent of 93 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-50

Ordinance No. 2020-76
(Int. No. 93)

Authorizing funding, an agreement, and an amendatory agreement for the Mt. Hope Avenue Phase 2 Improvement Project

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

Section 1. The sum of \$5,400,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the cost of construction and Residential Project Representation (RPR) services for the Mt. Hope Avenue Phase 2 Improvement Project (the Project). The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation to participate in and administer the Project and for the receipt and use of FHWA funding for the Project.

Section 2. The sum of \$1,000,000 in anticipated reimbursements from the New York State Marchiselli Aid Program is hereby appropriated to fund a portion of the cost of construction and RPR services for the Project.

Section 3. The sum of \$26,400 in anticipated reimbursements from the New York State Marchiselli Aid Program is hereby appropriated to fund a portion of the design services for the Project.

Section 4. The receipt and use of a grant in the sum of \$200,000 from the Dormitory Authority of the State of New York (DASNY) is hereby authorized and appropriated to fund a portion of the cost of construction for the Project. The Budget Director and City Engineer are each hereby designated as an Authorized Officer authorized, in the name and on behalf of the City, to negotiate, execute, deliver and/or approve agreements and other documents in connection with performance of the Project and the financing of the costs thereof, as necessary to abide by the DASNY requirements for the City to obtain and use the funding authorized herein.

Section 5. The Mayor is hereby authorized to enter into a professional services agreement with T.Y. Lin International Engineering & Architecture, P.C. to provide RPR services for the Project. The maximum compensation for the agreement shall be \$1,100,000, which shall be funded in the amounts of \$703,948.47 from the FHWA funds appropriated herein in Section 1, \$130,360.83 from the Marchiselli Aid Program appropriated herein in Section 2, \$54,571.63 from the proceeds of street improvement bonds appropriated for the Project in a concurrent ordinance, \$93,033.47 from the proceeds of water service bonds appropriated for the Project in a concurrent ordinance, \$5,472.12 from 2013-14 Cash Capital, \$99,621.67 from 2017-18 Cash Capital, and \$12,991.81 from 2018-19 Cash Capital. The term of the agreement shall continue until 6 months after completion of the Project.

Section 6. The Mayor is hereby authorized to enter into an amendatory agreement with Bergman Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide construction administration support services for the Project. The amendatory agreement shall increase the maximum compensation of the agreement originally authorized in Ordinance No. 2015-198 and amended by Ordinances Nos. 2016-243, 2016-268, 2017-185, and 2019-133 by \$100,000 to a new total of \$671,027. Said amendatory amount shall be funded in the amounts of \$26,400 in anticipated reimbursements from the Marchiselli Aid Program appropriated herein in Section 2 and \$73,600 in 2018-19 Cash Capital.

Section 7. Any agreements required to effectuate Project funding and the professional services agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 8. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-77
(Int. no. 94)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$860,000 Bonds of said City to finance a portion of the costs of the Mt. Hope Avenue Phase 2 Improvement 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 street reconstruction, intersection realignments, new sidewalks, curb ramps, driveway aprons, receiving basins, lighting, signals, signage, pavement markings, parking bump outs, tree plantings, and other various streetscape improvements on Mt. Hope Avenue (from Rossiter Road to Westfall Road/Westmoreland Drive) relating to the Mt. Hope Avenue Phase 2 Improvement Project (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 \$7,785,459. The plan of financing includes the issuance of \$860,000 bonds of the City, which amount is hereby appropriated therefor, \$5,400,000 in anticipated reimbursements from the Federal Highway Administration appropriated in a concurrent ordinance, \$1,000,000 in New York State Marchiselli Aid appropriated in a concurrent ordinance, \$200,000 in Dormitory Authority of the State of New York funds appropriated in a concurrent ordinance, \$15,472 in 2013-2014 Cash Capital, \$99,622 in 2017-2018 Cash Capital, \$97,445 in 2018-2019 Cash Capital, \$112,920 in anticipated reimbursements from Monroe County Pure Waters authorized in Ordinance No 2018-39 and hereby appropriated therefor, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$860,000 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 \$860,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2020-78
(Int. No. 95)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$770,000 Bonds of said City to finance a portion of the costs of the water service improvements for the Mt. Hope Avenue Phase 2 Improvement 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 cost of water main and service improvements and fire hydrants located Mt. Hope Avenue (from Rossiter Road to Westfall Road/Westmoreland Drive) in connection with the Mt. Hope Avenue Phase 2 Improvement Project (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 \$770,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$770,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$770,000 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 \$770,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

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

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily

Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

Resolution No. 2020-17
(Int. No. 96)

Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Mt. Hope Avenue from Rossiter Road to Rochester/Brighton Line

WHEREAS, a Project for Mt. Hope Avenue from Rossiter Road to Rochester/Brighton Line, P.I.N. 4760.76 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of construction and construction inspection services.

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

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

THAT the Council of the City of Rochester Board hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of construction and construction inspection works for the Project or portions thereof;

THAT the sum of \$8,555,459 is hereby appropriated pursuant to Ordinance Nos. 2020-76, 2020-77 and 2020-78 and made available to cover the cost of participation in the above phase of the Project;

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-79
Re: Amendatory Agreement – Martha Lyon Landscape Architecture, LLC, Mt. Hope Cemetery Site Enhancements

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Martha Lyon Landscape Architecture, LLC (Martha Lyon, 313 Elm Street, Northampton, MA) to provide additional design and construction administrative services related to the Mt. Hope Cemetery Site Enhancements project. The original agreement, authorized in March 2018 (Ordinance No. 2018-64), established maximum compensation at \$75,000. This amendment will increase the compensation by \$55,000 to a maximum total of \$130,000. The cost of the amendatory agreement will be financed from 2018-19 Cash Capital.

Martha Lyon Landscape Architecture, LLC will provide additional design and construction administration services for an expanded scope of work that includes optimizing interment space, adding columbarium niche walls, and landscape improvements.

Construction is anticipated to begin in summer 2020 with substantial completion in fall 2021. This agreement shall terminate six (6) months after completion and acceptance of the construction of the project. The amendatory agreement will result in the creation and/or retention of the equivalent of .6 full-time jobs.

Respectfully submitted,
Lovely Warren
Mayor

Attachment No. AT-51

Ordinance No. 2020-79
(Int. No. 97)

Authorizing an amendatory agreement for Mt. Hope Cemetery Site Enhancements

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 Martha Lyon Landscape Architecture, LLC to provide additional design and construction administrative services related to the Mt. Hope Cemetery Site Enhancements project (the Project). The amendatory agreement shall increase the maximum compensation of the agreement originally authorized in Ordinance No. 2018-64 by \$55,000 to a new total of \$130,000. Said amendatory amount shall be funded from 2018-19 Cash Capital. The term of the amendatory agreement shall extend to 6 months after completion and acceptance of Project construction.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-80
Ordinance No. 2020-81

Re: Agreement - Bero Architecture, PLLC, Rundel Memorial Library Exterior Building Envelope Repairs

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to Rundel Memorial Library Exterior Building Envelope Repairs. This legislation will:

1. Establish \$200,000 as maximum compensation for a professional services agreement with Bero Architecture, PLLC (Jennifer Ahrens, Principal, 32 Winthrop Street, Rochester, NY) for architectural and structural engineering inspection and design services; and,
2. Authorize the issuance of bonds totaling \$744,000 and the appropriation of the proceeds thereof to partially finance cost of the Project.

The anticipated total project cost is \$744,000 and will be funded with bonds authorized herein.

The project will repair the building's stone masonry facades, replace original building elements, evaluate the existing conditions and extent of current deterioration, and identify creative solutions for the overall preservation and long term care of the building's exterior envelope.

Bero Architecture, PLLC shall provide architectural and structural engineering inspection and design services.

Bero Architecture, PLLC was selected through a Request for Proposal process which is described in the attached summary. The agreement shall extend until three (3) months after completion of a two-year guarantee inspection of the project.

Inspection and design services will begin in summer 2020. Construction is anticipated to begin in early 2022 with completion in late 2022. The project will result in the creation and/or retention of the equivalent of 8 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-52

Ordinance No. 2020-80
(Int. No. 98)

Authorizing an agreement for the Rundel Memorial Library Exterior Building Envelope Repairs project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Bero Architecture, PLLC to provide architectural and structural engineering inspection and design services for the Rundel Memorial Library Exterior Building Envelope Repairs project (the Project). The maximum compensation for the agreement shall be \$200,000, which shall be funded from the proceeds of City bonds authorized in a concurrent ordinance. The term of the agreement shall continue to 3 months after completion of a 2-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Evans, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo -8.

Nays - None-0.

Councilmember Gruber abstained due to a professional relationship.

Ordinance No. 2020-81
(Int. No. 99)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$744,000 Bonds of said City to finance the costs of the Rundel Memorial Library Exterior Building Envelope Repairs

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 Rundel Memorial Library Exterior Building Envelope Repairs, including repairing the Building's stone masonry facades, replacing original building elements, evaluating existing conditions and deterioration, and identifying solutions for the overall long term preservation and care of the Building's exterior envelope (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 \$744,000. The plan of financing includes the issuance of \$744,000 in bonds of the City, which amount is hereby appropriated therefor, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$744,000 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 \$744,000. 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 Section 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 Scott, Councilmembers Evans, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo -8.

Nays - None-0.

Councilmember Gruber abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-82
Re: Amendatory Agreement – Stantec Consulting Services Inc., Tyshaun Cauldwell R-Center for Hope Gateway Improvements

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Stantec Consulting Services Inc. (James Hofmann, P.E., Principal, 61 Commercial Street Rochester, NY) to provide additional design services related to the Tyshaun Cauldwell R-Center for Hope Gateway Improvements Project. The original agreement, authorized in July 2018 (Ordinance No. 2018-37), established maximum compensation of \$75,000. This amendment will increase the compensation by \$25,000 to a maximum total of \$100,000. The cost of the amendatory agreement will be financed from the Community Development Block Grant (CDBG) funding authorized by Ordinance No. 2017-69.

The amendatory agreement will fund additional final design and bidding phase services to allow for rebidding and construction phase design services.

The project includes new little league ballfield with drainage, perimeter fencing, additional gateway paths and lighting, signage, and landscape improvements.

This agreement shall terminate three (3) months after completion of a two-year guarantee inspection of the project.

Construction is anticipated to begin in summer 2020 and be substantially complete fall 2020. The amendatory agreement will result in the creation and/or retention of the equivalent of .3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-53

Ordinance No. 2020-82
(Int. No. 100)

Authorizing an amendatory agreement with Stantec Consulting Services Inc. related to Tyshaun Cauldwell R-Center for Hope Gateway Improvements

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 Stantec Consulting Services Inc. for additional design services for the Tyshaun Cauldwell R-Center for Hope Gateway Improvements at the facility formerly known as the Campbell Street R-Center. The amendment shall increase the maximum compensation of the existing agreement, which was authorized by Ordinance No. 2018-37, by \$25,000 to a new total of \$100,000. The amendatory compensation amount shall be funded from the 2014-15 Infrastructure Improvements allocation of the Community Development Block Grant funds that were appropriated in Section 2 of Ordinance No. 2017-69. The term of the agreement shall extend to 3 months after completion of the Project’s two-year guarantee inspection.

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.

By Vice-President Lightfoot
March 17, 2020

To the Council:

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

- Int. No. 101 Amending the 2019-20 Budget and appropriating federal forfeiture funds to acquire a command vehicle for the Community Affairs Bureau
- Int. No. 102 Authorizing an intermunicipal agreement with the County of Onondaga for the Live Scan Program

Respectfully submitted,
Willie J. Lightfoot
Mitch Gruber
LaShay D. Harris
Jacklyn Ortiz
Loretta C. Scott (*Absent*)
PUBLIC SAFETY YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-83
 Appropriation of Forfeiture Funds –Vehicle for Community Affairs Bureau

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$120,000 from federal forfeited funds generated by the Police Department, and amending the 2019-20 Budget of the Police Department to reflect this amount.

These funds will be used to purchase a command vehicle to be used by the Community Affairs Bureau. This vehicle will replace our current vehicle that is 31 years old and has numerous mechanical issues, some of which are cost prohibitive to repair. The Community Affairs Bureau will use this vehicle during community outreaches and events, as a safe place for clergy members to speak with the families of crime victims, and it will have a work area for our officers to conduct Operation Safe Child identification for kids.

The appropriations requested this month will result in a balance of approximately \$729,800 in the federal forfeiture Justice fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-83
(Int. No. 101)

Amending the 2019-20 Budget and appropriating federal forfeiture funds to acquire a command vehicle for the Community Affairs Bureau

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

Section 1. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by \$120,000 from funds to be received from the Federal Government from seized and forfeited assets. The appropriation herein shall be used to acquire a command vehicle for the Community Affairs Bureau.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-84
Inter-Municipal Agreement –Onondaga County, Live Scan Criminalistic Imaging Data

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with Onondaga County for the continuation of Live Scan, which allows the electronic transmission and storage of fingerprint, mugshot, and related police booking information to the New York State Division of Criminal Justice Services (DCJS). The cost of this agreement is \$1,000 per year, which will be funded from the annual budgets of the Police Department, contingent upon approval.

All agencies in New York State are required to transmit this information electronically rather than use a paper-based system. Contracting with Onondaga County allows the City to avoid the expense of purchasing and maintaining a separate computer server with a connection to the DCJS.

Onondaga County maintains the Repository for Integrated Criminalistic Imaging (RICI) system server, and will be responsible for all associated hardware and software, backup and restoration of all data, and maintenance of the communication link with DCJS.

The term of the agreement is for five years, from January 1, 2020 through December 31, 2024. This agreement represents the third five year term with Onondaga County for this service.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-84
(Int. No. 102)

Authorizing an intermunicipal agreement with the County of Onondaga for the Live Scan 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 intermunicipal agreement with the County of Onondaga for the Live Scan Program, which provides for the electronic transmission and storage of fingerprint, mugshot and booking information. The agreement shall have a term of five years from January 1, 2020 to December 31, 2024. The agreement shall obligate the City to pay a maximum amount of \$1,000 per year, which shall be funded for the first year from the 2019-20 Budget of the Police Department, and continue at the rate of \$1,000 for each of the four subsequent Budgets of the Police Department, contingent upon the approvals thereof.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By President Scott
January 21, 2020

To the Council:

The **COMMITTEE OF THE WHOLE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 30 Approving appointments to the Police Accountability Board

The **COMMITTEE OF THE WHOLE** recommends the following entitled legislation to be **HELD** in committee:

Int. No. 28 Resolution confirming the appointment of the Chief Technology Officer

Respectfully submitted,

Malik Evans
Mitch Gruber
LaShay D. Harris
Mary Lupien
Jacklyn Ortiz
Michael A. Patterson
Jose Peo
Willie J. Lightfoot
Loretta C. Scott
COMMITTEE OF THE WHOLE

Introductory No. 28 was introduced on January 21, 2020 and appears in its original transmittal letter on page 35 of the 2020 Council Proceedings

Resolution No. 2020-18
(Int. No. 28)

Resolution confirming the appointment of the Chief Technology Officer

WHEREAS, the Mayor has appointed Albert J. Gauthier to the position of Chief Technology Officer to head the Information Technology Department, subject to confirmation by the City Council, and

WHEREAS, Council has reviewed the qualifications of the appointee and determined that he has the ability and qualifications to execute the duties and responsibilities of the office.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Rochester hereby confirms the appointment of Albert J. Gauthier as Chief Technology Officer.

This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 8:22 p.m.

HAZEL L. WASHINGTON

City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

April 14, 2020

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

Present –President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo – 9.

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

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

Retirement:

DES:

- *Elizabeth Boddie
- *Debra Gayton
- *Pamela Johnson-Wright
- *Thomas E. Wood

ECD:

- *Carol M. Hollins

FIN:

- *Lorena T. Cutt
- *Dennis Joy

I.T.:

- *Tamara A. Bain

NBD:

- *Amy Terrance-Rivera

RFD:

- *John Derleth

RPD:

- *Erique Gomez
- *James T. Woodward

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Harris

RESOLVED, that the minutes of the Regular Meeting on March 17, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

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

The Council submits Disclosure of Interest Forms from Councilmember Gruber on Int. No. 139.

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

None Presented

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on April 14, 2020 on the following matters:

Local Improvement Ordinance establishing the cost of special services for the East Avenue/Alexander Street Entertainment District
Int. No. 116
No Speakers

Local Improvement Ordinance – Establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement
Int. No. 117
No Speakers

Local Improvement Ordinance – authorizing special work and services related to the South Avenue/Alexander Street Open Space District
Int. No. 121
No Speakers

Authorizing pavement width changes for the Carter Street and North Street Milling & Resurfacing Program
Int. No. 127
No Speakers

Local Improvement Ordinance – establishing the operation, installation and maintenance costs of street lighting special assessment districts
Int. No. 140
No Speakers

Local Improvement Ordinance – security and snow removal services at the Public Market for 2020-21
Int. No. 146
No Speakers

Local Improvement Ordinance – care and embellishment of street malls for 2020-21
Int. No. 149
No Speakers

Continuation of Local Improvement Ordinance No. 1619 Relating to the Norton Street Urban Renewal District Streetscape District
Int. No. 150
No Speakers

Local Improvement Ordinance – establishing the operating and maintenance costs of special assessments for streetscape enhancements
Int. No. 151
No Speakers

Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District
Int. No. 152
No Speakers

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Evans
April 14, 2020

To the Council:

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

Int. No. 106 Approving the commitment reserve funds

- Int. No. 107 Appropriating Firefighters' Insurance Funds
- Int. No. 108 Authorizing the cancellation or refund of erroneous taxes and charges
- Int. No. 109 Authorizing agreements for community engagement and associated technical services for City projects
- Int. No. 110 Bond Ordinance of the City of Rochester, New York, authorizing the issuance of not to exceed \$40,550,000 General Obligation Refunding Serial Bonds, 2020 of said City to currently refund the outstanding portions of the City's \$58,225,000 General Obligation Serial Bonds -2008, Series B Bonds, \$92,996,949 General Obligation Bonds under the American Recovery and Reinvestment Act of 2009; and \$66,943,000 General Obligation Serial Bonds -2012, Series I

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

Received, filed and published.

TO THE COUNCIL
 Ladies and Gentlemen:

Re: Ordinance No. 2020-85
 Committing Tax Relief and Retirement Reserves

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing the commitment of previously assigned funds for Property Tax Relief and Retirement Costs in accordance with Governmental Accounting Standards Board (GASB) Statement 54 Fund Balance Reporting and Government Fund Type Definitions.

From the surplus available at the end of fiscal year 2018-19, the Director of Finance, as authorized in the City Charter, assigned \$3,000,000 to Property Tax Relief and \$4,600,000 to Retirement Costs. In order to change the classification from assigned to committed, City Council action is required. The commitment of these balances would bring the total General Fund Balance committed for Property Tax Relief to \$29,875,600 and for Retirement Costs to \$27,928,565. These balances are further reduced by the budgeted appropriations of fund balance for 2019-20 which are \$4,600,000 for Property Tax Relief and \$4,300,000 for Retirement Costs.

The committed fund balance classification includes amounts that can be used only for the specific purposes determined by the action of City Council. Specifically, funds committed for Property Tax Relief (formerly the Tax Relief Reserve) can only be used to address future projected budget deficits; and funds committed to Retirement Costs (formerly the Retirement Reserve) will be used to manage future retirement costs.

These additional funds are available as a result of favorable 2018-19 year-end expenditure variances attributable to personnel and fringe benefit savings from vacancies and other miscellaneous expense. Positive revenue variances resulted from higher sales tax distributions, moving violation revenue collections, and mortgage tax.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2020-85
 (Int. No. 106)

Approving the commitment of reserve funds

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

Section 1. The Council hereby approves the commitment of \$3,000,000 for the purpose of property tax relief to assist in addressing future projected budget deficits. The Council hereby further approves the commitment of \$4,600,000 for the purpose of retirement to assist in managing future retirement costs

Section 2. The funds to be committed shall be funded from the surpluses available from the 2018-19 Budget of the City of Rochester, said funds having previously been assigned to the purpose of property tax relief and to the purpose of retirement by the Director of Finance pursuant to the authority provided by the City Charter.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo -9.

Nays – None- 0.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-86

Re: Firefighters' Insurance Fund

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing expenditures from the Firefighters' Insurance Fund ("Two Percent Fund") as per the Settlement Agreement between the Rochester Firefighters, Inc., Local 1071, IAFF, AFL-CIO and the City of Rochester dated August 7, 2012. The legislation will:

1. Appropriate a total of \$331,275 from the Firefighters Insurance Fund at the request of the Rochester Firefighters Two Percent Committee ("TPC") to benefit City firefighters.
2. Appropriate a total of \$170,785 from the Firefighters' Insurance Fund for uses nominated by the City to benefit City firefighters.

The firefighters' Insurance Fund is the City Fund established to collect and distribute monies received from the State pursuant to Sections 9104 and 9105 of the Insurance Law, and is under the custody of the City Treasurer.

Ordinance No. 2012-313 authorized the settlement agreement resulting from litigation brought by Rochester Firefighters Local 1071. These funds must be used in a manner that is consistent with the Court Order and with the provisions of Insurance Law Sections 9104 and 9105. Fund expenditures must be for the benefit of firefighters as provided in statutory law, case law, administrative rules and regulations, and the New York State Comptroller's Opinions.

In accordance with the Settlement Agreement the firefighters have formed a not-for-profit corporation named the Rochester Firefighters Two Percent Committee ("TPC") to be the firefighters' representative for purposes of the Fund. Items to be paid from the Fund may be nominated by the firefighters or by the City.

The following are firefighter nominated items submitted by the TPC to be appropriated from the Firefighters' Insurance Fund:

- 1) Fire house items set forth in Section 1G of the original agreement (\$99,000).
- 2) Legal and Accounting expenses (\$47,000).
- 3) Fire house cable and internet expenses (\$48,000).
- 4) RFBA Firefighters Ball (\$15,000).
- 5) Building Expenses (\$120,000).
- 6) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$2,275).

The following are City nominated items submitted by the TPC to be appropriated from the Firefighters' Insurance fund:

- 1) Snow plow services for apparatus bay driveways at firehouses (\$50,310).
- 2) Linen and laundry expense (\$80,000).
- 3) Small equipment and minor firehouse renovations (\$39,500).
- 4) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$975).

The City of Rochester has engaged Freed Maxick to conduct an audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee ("TPC"). The cost of the audit is estimated at \$3,250, of which the City will pay 30% and the Two Percent Committee

("TPC") will pay 70% of the auditing fee, as per Section 1J of the agreement. The cost of the audit will be funded from the respective Two Percent Fund accounts controlled by the City of Rochester.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-86
(Int. No. 107)

Appropriating Firefighters' Insurance Funds

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

Section 1. The following funds are hereby appropriated from the Firefighters' Insurance Fund ("Two Percent Fund") for the following purposes to benefit the firefighters of the City in accordance with the terms of the settlement agreement with Rochester Firefighters Local 1071 dated August 7, 2012 ("Agreement") that was authorized in Ordinance No. 2012-313:

- A. Firefighter Nominated Items. A total of \$331,275 at the request of the Rochester Firefighters Two Percent Committee as follows:
 - 1) Firehouse items set forth in Section 1G of the Agreement (\$99,000);
 - 2) Legal and accounting expenses (\$47,000);
 - 3) Firehouse cable and internet expenses (\$48,000);
 - 4) Rochester Firefighters' Benevolent Association Firefighters Ball (\$15,000);
 - 5) Building Expenses (\$120,000); and
 - 6) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$2,275).
- B. City Nominated Items. A total of \$170,785 for uses nominated by the City of Rochester as follows:
 - 1) Snow plow services for apparatus bay driveways at firehouses (\$50,310);
 - 2) Linen and laundry expense (\$80,000);
 - 3) Small equipment and minor firehouse renovations (\$39,500); and
 - 4) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$975).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-87
Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$14,650.

There had been two transfers of the properties located at 14 Eighth Street; 16 Weld Street and 117 Frost Avenue in a relatively short period of time. The first was on November 21, 2017 and then it was purchased by the current owners; DWEFF Properties, LLC on January 22, 2018. The code violations should not have been added to tax and Neighborhood and Business Development will seek a judgement against the former owner. All the prior violations have been corrected by the current owner.

If these cancellations are approved, total cancellations thus far for 2019-20 will be as follows:

	<u>Accounts</u>	
City Council	11	\$148,616.29
Administrative	<u>27</u>	<u>\$11,274.99</u>
Total	38	\$159,891.28

These cancellations represent 0.0614% of the tax receivables as of July 1, 2019.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2020-87
 (Int. No. 108)

Authorizing the cancellation or refund of erroneous taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges:

	S.B.L. #	Class	Address	Tax Year	Amount Cancelled
(A)	106.52-3-28	H	14 Eighth St	2019	\$ 6,000.00
(B)	106.65-3-72	N	16 Weld St	2019	\$ 7,600.00
(C)	121.61-1-13	H	117 Frost Ave	2019	\$ 1,050.00
				TOTAL	\$14,650.00

(A), (B) and (C): For each of the three properties, there have been two transfers of ownership in rapid succession, the first on November 21, 2017 and the second to the current owner DWEFF Properties, LLC on January 22, 2018. The code violation charges should not have been added to the current owner’s tax bills because the violations were committed by prior owners and the violations have been corrected by the current owner. Neighborhood and Business Development will seek judgment for those code violation charges against the former owner for each property.

Section 2. If full or partial payment of the afore-said taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2020-88
 Re: Authorizing Professional Services Term Agreements for Community Engagement and Associated Technical Services

Council Priority: Rebuilding and Strengthening Neighborhoods

Comprehensive Plan 2034 Initiative Area: Planning For Action

Transmitted herewith for your approval is legislation authorizing professional services agreements with the following companies for community engagement and associated technical services:

Firm Name	Address	Principal/ Owner
Highland Planning LLC	820 S. Clinton Ave. Rochester, NY	Tanya Mooza Zwahlen
Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.	280 E. Broad St. Rochester, NY	Pietro Giovenco
Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C	274 N. Goodman St. Rochester, NY	Jo Anne C. Gagliano
Strategic Community Intervention LLC	165 Castlebar Rd. Rochester, NY	William Johnson
Center for Governmental Research Inc.	1 S. Washington St, Rochester, NY	Erika Rosenberg

Services utilized under these agreements will be financed from the annual budgets of the departments using the services or from capital funds appropriated for specific environmental, construction and redevelopment projects. When community engagement services are needed, proposals from one or more of these companies will be requested. The selection of a specific firm will depend upon the type of services that are required, its ability to meet the City's schedule, and the quality and cost of its proposal. Each of the agreements will have an initial term of three years with provisions for renewal for one additional one-year period based on mutual written agreement. If the agreements are renewed, adjustment to the specific unit prices for the fourth year will be permitted subject to the City's approval.

Guided by the vision, principles, placemaking plan, and action plans of the recently adopted *Rochester 2034*, the City seeks to engage a team of professionals to augment City staffing resources in an "on-call" arrangement to allow community engagement activities that reach a broad audience; and, to facilitate a process for responding quickly to public interest or concern around a specific project/policy/initiative. The services facilitated through these agreements will advance the City's goals for building community capacity through transparent community input and open exchanges of information. Under the proposed agreements, professional services can be quickly deployed to help with:

1. Initiating, facilitating, and documenting community/stakeholder information and input, including fostering participation from traditionally underrepresented populations and designing a feedback loop
2. Communicating ideas/concepts/plans/etc. in a broadly understandable way, using tools such as renderings, SketchUp, Photoshop, and other graphic visualization methods
3. Managing meeting logistics
4. Mediation services to address multiple, sometimes competing, interests
5. Language translation services (verbal and written)
6. Creating support materials/mapping
7. Technical analyses and reports

The City issued a request for proposal on February 18, 2020 resulting in proposals from ten (10) consulting firms. Five (5) of these firms are recommended for agreements based on evaluation scores as well as ensuring a range of skill sets.

The number and types of projects will depend on the needs of the various departments that are requiring services. The cost of the project-specific proposals will be based on the unit prices specified in each firm's agreement with the City.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-54

Ordinance No. 2020-88
(Int. No. 109)

Authorizing agreements for community engagement and associated technical services for City projects

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following companies for community engagement and associated technical services as required by the City:

Highland Planning LLC

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

Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C.

Strategic Community Intervention LLC

Center for Governmental Research Inc.

Section 2. The agreements shall have a term of three years with the option to renew for an additional one-year period upon mutual agreement. The agreements shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual budgets of the departments using the services or from capital project appropriations for specific environmental, construction, and redevelopment projects. Unit prices may be adjusted at the discretion of the City upon satisfactory justification by the consultant.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-89
Re: Redemption of General Obligation Serial Bonds-2008, Series B Bonds, General Obligation Bonds under the American Recovery and Reinvestment Act (ARRA) of MBBA 2009 C1 and General Obligation Serial Bonds-2012, Series I

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing the refunding of outstanding bonds of the City of Rochester. It will be accomplished by the issuance of not to exceed \$40,550,000 in General Obligation Refunding Serial Bonds, 2020 ("Current Bonds"). The proceeds of the Current Bonds will be used to redeem portions of the following outstanding bonds (the "Prior Bonds"): \$39,220,000 General Obligation Serial Bonds-2008, Series B Bonds, \$92,996,949 General Obligation Bonds 2009C1 under the American Recovery and Reinvestment Act of 2009; and \$66,943,000 General Obligation Serial Bonds – 2012, Series I, all in accordance with the redemption provisions of those prior bonds.

Current refunding of bonds is regulated by New York State Local Finance Law (Section 90.00), which requires that there must be a demonstrated present value savings, and that the transaction be approved by the State Comptroller's Office, which in turn requires the authorization of City Council. The Current Bonds must provide proceeds, together with future interest earnings, sufficient to cover the redemption price (principal and interest) of the Prior Bonds and bond issue costs. The Prior Bonds are redeemable at par without redemption premiums or penalties.

As a result of declining interest rates and optional redemption provisions included in the Prior Bonds, it now becomes economically advantageous to the City to refinance the Prior Bonds by issuance and sale of the Current Bonds, serially maturing from 2020 through 2027. This redemption plan is expected to result in an aggregate net present value savings of at least \$1,530,920 for the City.

A copy of the analysis is on file with the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-55

Ordinance No. 2020-89
(Int. No. 110)

Bond Ordinance of the City of Rochester, New York, authorizing the issuance of not to exceed \$40,550,000 General Obligation Refunding Serial Bonds, 2020 of said City to currently refund the outstanding portions of the City's \$58,225,000 General Obligation Serial Bonds-2008, Series B Bonds, \$92,996,949 General Obligation Bonds under the American Recovery and Reinvestment Act of 2009; and \$66,943,000 General Obligation Serial Bonds – 2012, Series I

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") issued its \$39,220,000 General Obligation Serial Bonds-2008, Series B Bonds (the "Series 2008B Bonds"), which series maturing after October 1, 2018, are subject to optional redemption by the City after October 1, 2018, and approximately \$4,850,000 of the Series 2008B Bonds remain outstanding as of the date hereof.

Section 2. The City issued its \$92,996,949 general obligation bonds under the American Recovery and Reinvestment Act of 2009 (the "ARRA Bonds") to the State of New York Municipal Bond Bank Agency, which issued its \$97,171,949 Sub-Series 2009C1 (Tax-Exempt) special obligation bonds secured by a pledge of the payments to be made on the City's ARRA Bonds. The series of the ARRA Bonds maturing after February 15, 2020, are subject to redemption prior to maturity on or after February 15, 2020, and approximately \$13,575,000 of the ARRA Bonds remain outstanding as of the date hereof.

Section 3. The City issued its \$66,943,000 General Obligation Serial Bonds – 2012, Series I (the "2012 Bonds,"), which series maturing on or after August 15, 2021, will be subject to optional redemption by the City on or after August 15, 2020, and approximately \$22,125,000 of the 2012 Bonds remain outstanding as of the date hereof. The 2012 Bonds, together with the Series 2008B Bonds and the ARRA Bonds, are the "Prior Bonds".

Section 4. As a result of declining interest rates and optional redemption provisions included in the Prior Bonds, it now becomes economically advantageous to the City to refinance the Prior Bonds by issuance and sale of the City's not to exceed \$40,550,000 General

Obligation Refunding Serial Bonds, 2020 (the "2020 Refunding Bonds"), serially maturing from 2020 through 2027. The plan of financing includes the issuance of such not to exceed \$40,550,000 refunding serial bonds of the City to finance redemption of the Prior Bonds, net escrow costs and costs of issuance, and to secure payment of the 2020 Refunding Bonds with 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 in the manner provided for by the Prior Bonds. Aggregate net present value savings for the Prior Bonds based on the refunding are presently estimated to exceed \$1,530,920. The principal amount of the 2020 Refunding Bonds shall not exceed the amount sufficient to pay the sum of (i) the outstanding aggregate principal amount of the Prior Bonds, (ii) the aggregate amount of unmatured interest payable on the Prior Bonds to and including the applicable redemption dates, (iii) costs and expenses incidental to the issuance of the 2020 Refunding Bonds, including development of the refunding financial plan submitted to City Council herewith and of executing and performing the terms and conditions of the escrow contract and all fees and charges of the escrow holder. The Prior Bonds are redeemable at par without redemption premiums or penalties.

Section 5. 2020 Refunding Bonds of the City in the principal amount of not to exceed \$40,550,000 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 6. The maturity date of the 2020 Refunding Bonds shall not exceed the remaining weighted average maximum periods of probable usefulness established for the capital assets financed with the proceeds of the Prior Bonds from the date of issuance of the first bond anticipation note in issued in anticipation of the 2008B Bonds.

Section 7. Each of the 2020 Refunding Bonds authorized by this Ordinance shall contain the recital of validity as prescribed by Section 52.00 of the Law and 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 the 2020 Refunding Bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this Ordinance and of said Law, 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 and sale of the 2020 Refunding Bonds herein authorized and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the issuance and sale of the 2020 Refunding Bonds on a negotiated or competitive basis, in accordance with Sections 90 and 90.10 of the Law, as well as the selection of an underwriter, if applicable, and execution of agreements for escrow of bond proceeds and credit enhancement, if any, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 9. Issuance and sale of the 2020 Refunding Bonds shall be subject to the written authorization of the Comptroller of the State of New York, as provided in the Law.

Section 10. The validity of the bonds authorized by this Ordinance 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 11. 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.

Section 12. This Ordinance shall constitute the City's election to call the Prior Bonds for redemption and the escrow agent selected by the City shall call the Prior Bonds for redemption in compliance with the financial plan and in accordance with Section 53.00 of the Law, including appropriate publication of notice of such redemption in the City's official newspaper.

Passed unanimously.

By Councilmember Patterson
April 14, 2020

To the Council:

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

- Int. No. 111 Authorizing the sale of real estate
- Int. No. 112 Authorizing the sale of 30 Mark Street
- Int. No. 113 Authorizing the lease agreement for 68-92 Genesee Street
- Int. No. 114 Authorizing the sale of 415 Orchard Street and 354 Whitney Street
- Int. No. 115 Authorizing an amendatory agreement for planning services for the Bull’s Head Revitalization Project
- Int. No. 118 Authorizing payment in lieu of taxes agreement for the North Clinton, East Main, Culver Road Rental Housing Project
- Int. No. 119 Authorizing sale of City-owned parcels, payment in lieu of taxes and loan agreements for the Pueblo Nuevo Phase I project
- Int. No. 120 Authorizing loan agreement for the Liberty Lofts at Sibley Square

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

- Int. No. 116 Local Improvement Ordinance establishing the cost of special services for the East Avenue/Alexander Street Entertainment District
- Int. No. 117 Local Improvement Ordinance – Establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement
- Int. No. 121 Local Improvement Ordinance – authorizing special work and services related to the South Avenue/Alexander Street Open Space District

Respectfully submitted,
Michael A. Patterson
Mary Lupien (*Voted against Int. No. 120*)
Jacklyn Ortiz
Willie J. Lightfoot
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-90
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing
Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

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

The property is listed on the attached spreadsheet under the heading, I. Request for Proposal. It will be sold to Insight Properties, LLC (Member, Anthony Frumusa, 114 Empire Boulevard, Suite 200, Rochester, NY), for rehabilitation according to an approved development plan.

The first year projected tax revenue for the property, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$909.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-56

Ordinance No. 2020-90
(Int. No. 111)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcel with proposal to rehabilitate the single family residence located thereon:

Address	S.B.L.#	Lot Size	Price	Purchaser
223 Portage Street	091.83-3-35	77 x 90	\$8,200	Insight Properties, LLC

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-91
Sale of 30 Mark Street

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation approving the sale of the City-owned vacant parcel at 30 Mark Street to True North Rochester Mark Street, LLC (Officer, Ahkilah Johnson, 826 Broadway, 9th Floor, New York, NY) for the amount of \$400. The purchaser will combine the lot with its adjoining vacant parcels and building and construct a 35,000 square foot addition to the building formerly known as PUC Achieve Charter School located at 8-14 Mark Street. True North Rochester Mark Street, LLC will operate a charter school servicing grades 9-12 on the site.

True North Rochester Mark Street, LLC also operates charter schools at 630 Brooks Avenue, 432 Chili Avenue, 891-899 Jay Street, 85 St. Jacob Street and 305 Andrews Street.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-57

Ordinance No. 2020-91
(Int. No. 112)

Authorizing the sale of 30 Mark Street

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

Section 1. The Council hereby approves the negotiated sale of the following parcel of vacant land with proposal to combine the following parcel with adjoining lots already owned by the purchaser for purposes of constructing an approximately 35,000 square foot addition to an existing school building to be operated by the purchaser as a charter school:

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
30 Mark Street	106.41-2-11	30 x 128	±3,840	\$400	True North Rochester Mark Street, LLC

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-92
68-92 Genesee Street

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City and 585 Coin Laundry II, Inc. (Tony Rosa, Owner, 28 Amy Lane, Rochester, NY). The applicant will lease 68-92 Genesee Street, a building of approximately 2402 square feet of space, along with a portion of the surrounding parking lot for the purposes of running a coin operated laundromat. The monthly rental amount will be \$2,002, calculated at a rate of \$10 per square foot, \$24,020 annually, which is supported through an independent appraisal performed by Nathan Gabbert, SRA, IAO, of Midland Appraisal Associates, Inc. as of October, 2019. All utilities and Water will be paid by the tenant. The term of the lease is three (3) years commencing April 1, 2020 and ending March 31, 2023 with an option for the tenant to extend for two additional one (1) year terms.

The City of Rochester acquired the property while the former lessee was in the middle of negotiations to sell the business. The lease agreement was assigned to the City at that time. The City is now entering into a lease agreement with the new owner of the business. This represents an increase of \$200, per month from the previous tenants' lease.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-58

Ordinance No. 2020-92
(Int. No. 113)

Authorizing a lease agreement for 68-92 Genesee Street

WHEREAS, the City of Rochester has received a proposal from 585 Coin Laundry II, Inc. for the lease of approximately 2,402 square feet of space located at 68-92 Genesee Street;

WHEREAS, the Council affirmatively finds that the proposed lease authorized herein is in the public interest because it is part of the revitalization of Bull's Head Plaza and will provide a laundromat for the neighborhood; and

WHEREAS, the Council affirmatively finds that the term of such proposed lease, which is three years with two one-year renewal options, is reasonable and necessary in light of the lease's intended purpose and that the public will benefit throughout that term.

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

Section 1. The Mayor is hereby authorized to enter into a lease agreement with 585 Coin Laundry II, Inc. for the use of approximately 2,402 square feet of space along with a portion of the surrounding parking lot located at 68-92 Genesee Street. The agreement shall have a term of three years with the option to extend for two additional one-year periods.

Section 2. The monthly rental amount shall be \$2,002.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-93

Re: Sale of 415 Orchard Street and 354 Whitney Street

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation approving the sale of the City-owned vacant properties located at 415 Orchard Street and 354 Whitney Street to Garage 4119 Holdings Company, LLC, (Ilias Diakomihalis, President) 5-7 Parsells Avenue, Rochester, New York. The two parcels comprise approximately 3.9 acres parcel is known as the former AC Delco Appliance site. An appraisal completed in March 2019 by Bruckner, Tillett, Rossi, Cahill & Associates values the property at \$15,000, which is the agreed upon sale price.

The City acquired the property in 2008 through tax foreclosure. The City demolished the former industrial facility and has remediated the resulting vacant land through an extensive brownfield cleanup process that was assisted by funding from the New York State Department of Environmental Conservation (NYSDEC) and the U.S. Environmental Protection Agency.

On March 17, 2017, the NYSDEC issued the City a Certificate of Completion recognizing the satisfactory cleanup of the property and suitability for redevelopment for commercial or industrial use. The Certificate provides an environmental liability indemnification from the State to the City and any subsequent property owners, which will allow commercial and industrial redevelopment of the property to proceed. The Certificate requires the City and any subsequent owner to abide by an Environmental Easement and Site Management Plan, which require compliance with certain use and engineering controls during the development and re-use of the property.

This is subject to review under the State Environmental Quality Review Act (SEQR) and a determination will be made prior to council action. The purchaser plans to develop a 25,000 to 30,000 square foot industrial facility for the operation of its seafood processing business.

The purchaser has been in business (under the name of J.D. Sons LLC) for more than 20 years within the city of Rochester and has existing operations at their 5-7 Parsells Avenue location and will relocate the existing 43 employees to the Orchard-Whitney site and plans to add approximately 20 new employees within the next 3 years. The facility at 5-7 Parsells Avenue will be retained and used by the purchaser for equipment storage and will serve as a back-up and overflow processing location.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-59

Ordinance No. 2020-93
(Int. No. 114)

Authorizing the sale of 415 Orchard Street and 354 Whitney Street

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

Section 1. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal for the price of \$15,000:

Address	S.B.L.#	Lot Size	Purchaser
415 Orchard Street	105.66-3-23	1.31 acres	Garage 4119 Holdings Company LLC
354 Whitney Street	105.66-3-24	2.76 acres	Garage 4119 Holdings Company LLC

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-94
Re: Agreement Amendment – Fisher Associates Bull’s Head Revitalization Project

Council Priorities: Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods; Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation amending an agreement with Fisher Associates, P.E., L.S., L.A., D.P.C., 180 Charlotte Street, Rochester, New York 14607 (CEO, Roseann Schmid, P.E.), for services related to the Bull’s Head Revitalization Project (Project), to extend the term of the agreement by one year.

City Council Ordinance No. 2015-324 authorized the City to enter into an agreement with Fisher Associates for consultant services related to the Bull’s Head Revitalization planning process with funding provided by a \$243,745 Brownfield Opportunity Area (BOA) grant administered by the New York State Department of State (Agreement). City Council Ordinance No. 2018-394 authorized an amendment adding \$105,000 in Cash Capital funding to provide additional planning services related to the Project.

The original term expiration date of the Agreement was May 25, 2019 with an option to exercise a one-year renewal. The one-year renewal was exercised on February 28, 2019 establishing a new term expiration date of May 25, 2020. This amendment will extend the Agreement term by one year to establish a new term expiration date of May 25, 2021.

As portions of the Bull’s Head Revitalization planning process have been completed, the one year extension is needed to complete other tasks in progress, including but not limited to traffic analyses, zoning analyses, and redevelopment planning.

All other terms of the Agreement will remain the same.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-94
(Int. No. 115)

Authorizing an amendatory agreement for planning services for the Bull’s Head Revitalization Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Fisher Associates, P.E., L.S., L.A., D.P.C. to continue planning services related to the Bull’s Head Revitalization Project. The amendment shall extend the term of the existing agreement authorized by Ordinance No. 2015-324, as amended by Ordinance No. 2018-394, by one year to May 25, 2021.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1761
Re: East Avenue / Alexander Street Entertainment District

Council Priority: Creating and Sustaining a Culture of Vibrancy; Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation reauthorizing the district and establishing the amount of \$21,200 for special assessments for the East Avenue/Alexander Street Entertainment District.

This assessment provides for additional trash removal on Saturday and Sunday, from 3:00 am to 5:00 am, from April through October, to address trash resulting from the increased activity in the District during this period. The assessment covers the additional cost of these services and is apportioned among the properties within the district that cater to the patrons of the establishments (e.g., bars, restaurants and parking lots who profit from the patrons).

In 2020-21 the fixed fee for additional street cleaning services is determined by type of establishment and square footage as agreed upon by the entertainment establishments and property owners in the district. The total annual charge estimate determined by the Department of Environmental Services.

All affected properties have been examined and any change in use is reflected in the attached list of subject properties. The operating assessment is apportioned among properties based on type and function of their use, using the following schedule:

<u>Code</u>	<u>Use</u>	<u>Annual Charge</u>
1	Parking lot under 2500 Sq Ft	\$205
2	Parking Lot 2500-4999 Sq Ft	\$410
3	Parking Lot 5000-9999 Sq Ft	\$615
4	Parking Lot 10000 Sq Ft or more	\$843
5	Small Sit down Restaurant	\$205
6	Take out Restaurant/Smaller Bar	\$410
7	Large Bar/Sit Down Restaurant	\$968

This assessment will be included on the annual tax bill of the affected properties. Residential properties with no entertainment venues or parking lots are not affected.

A public hearing is required.

Respectfully submitted
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1761
(Int. No. 116)

Local Improvement Ordinance establishing the cost of special services for the East Avenue/Alexander Street Entertainment District

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

Section 1. The 2020-21 budget for upgraded street cleaning and trash removal services for the East Avenue/Alexander Street Entertainment District is established at \$21,200 and the charge per code shall be as set forth below, and said amount is hereby appropriated from the Special Assessments as set forth below and shall be assessed and levied on the 2020-21 tax bill in accordance with Local Improvement Ordinance No. 1631.

Code	Use	Annual Charge
1	Parking lot under 2500 Sq. Ft	\$205
2	Parking lot 2500-4999 Sq. Ft	\$410
3	Parking lot 5000-9999 Sq. Ft	\$615
4	Parking lot 10000 Sq. Ft or more	\$843
5	Small Sit Down Restaurant	\$205
6	Take Out Restaurant/Smaller Bar	\$410
7	Large Bar/Sit Down Restaurant	\$968

Section 2. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1762
Re: High Falls Business Improvement District

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to the High Falls Business Improvement District (BID) established via Local Law No.1 in December 2003. This legislation will:

- 1) Approve the 2020-21 Budget totaling \$25,000 submitted by the High Falls BID Board.
- 2) Establish \$25,000 as the 2020-21 assessment for the district and authorize the apportionment of the cost among the subject properties.
- 3) Authorize an agreement with the High Falls Business Improvement District Management Association, Inc. for implementation of the services outlined in the BID plan.

The amount of the annual levy is determined by the budget proposed by the BID. The amount assessed to an individual property is determined by its primary use, which is verified annually. Funds are used for additional clean-up, beautification, landscaping, marketing, advertising, and promotional materials. Funds have also been used for special purposes such as historic signage and a lunchtime summer concert series produced in conjunction with the Hochstein School of Music.

The High Falls BID Plan outlines a description of the BID boundaries, and the assessment formula used to determine each building owners' share. The plan is on file in the City Clerk's office.

A public hearing on the assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-60

Local Improvement Ordinance No. 1762
(Int. No. 117)

Local Improvement Ordinance - Establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement

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

Section 1. The Council hereby approves the continuation of the High Falls Business Improvement District. The 2020-21 Budget for the High Falls Business Improvement District is established at \$25,000, which amount shall be assessed and levied in accordance with Local Law No. 1 of 2003. The Mayor is hereby authorized to enter into an agreement with the High Falls Business Improvement District Management Association, Inc. for implementation of the services outlined in the District Plan.

Section 2. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance 2020-95
Re: North Clinton, East Main, Culver Road Rental Housing Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the North Clinton, East Main and Culver Affordable Housing Project being undertaken by Home Leasing, LLC (Bret Garwood, Principal), located at 1614-1624 North Clinton Avenue, 699 East Main Street and 899 Culver Road.

This legislation will:

1. Authorize property tax exemptions and payment in lieu of taxes agreements for the North Clinton, East Main, Culver Road project, which will provide a 30-year exemption for an annual in lieu of payment equal to 10% of the project shelter rents (gross rents minus utility costs).
2. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein;

The renovation of these three locations total 150 units, 83 studios and 54 one bedrooms and 13 two bedroom apartments. The buildings are currently unregulated. This project will ensure their continued affordability for households with incomes ranging from 30% of AMI to 60% of AMI. In addition, Rents range from \$477-\$693. Fifty six (56) of the 150 units will be set aside for supportive housing. Ten units will house previously incarcerated individuals with Spiritus Christi Prison Outreach and 11 units will house individuals with HIV/AIDS in partnership with Trillium Health. Thirty-five of the units will house chronically homeless individuals in partnership with Person Centered Housing Options, PCHO. Each of the partners have received an Empire State Supportive Housing Initiative (ESSHI) award to provide rental subsidy and support services for the 56 households.

The project scope includes asbestos abatement, new roofs, mechanical systems, electrical and plumbing system upgrades, new windows as needed, new appliances, updated lighting, a security system including cameras and secure entry system, improvements to baths, kitchens and flooring. There will be no non-voluntary displacement. It is anticipated that the residents will remain in the buildings during construction and move into a newly renovated unit when completed. Home Leasing’s Relocation Coordinator will develop in partnership with the resident an individualized, temporary relocation plan to meet their needs during construction.

It’s anticipated that the project will receive funding from NYS Homes and Community Renewal, ESL Foundation and the City of Rochester for construction and permanent financing. Home Leasing has been working with tenant advocates. Also, Home Leasing began managing the property on February 24th and intends to take ownership on April 30th.

The sources and uses for the proposed project are summarized below:

<u>Uses</u>		<u>Permanent Sources</u>	
Land Acquisition	\$6,225,000	Conventional Loan	\$4,000,000
Soft Costs	\$1,864,252	NYS HCR PLP	\$10,650,000
Hard Costs	\$8,582,747	NYS HCR HOME	\$3,500,000
Contingency	\$858,275	ESL Foundation Loan	\$381,324
Development Fee	\$500,000	City of Rochester (proposed)	\$300,000
Reserves	\$442,050		
Working Capital	\$359,000	TOTAL	\$18,831,324
TOTAL	\$18,831,324		

Workforce goals for the project are 6.9% women and 20% minorities and 25% City residents, along with a combined goal of 30% for MBE/WBE firms.

The PILOT is subject by to be approved by the PILOT Review Committee on March 18, 2020. SEQR review will be completed before the April 14th City Council Meeting.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-61

Ordinance No. 2020-95
 (Int. No. 118)

Authorizing payment in lieu of taxes agreement for the North Clinton, East Main, Culver Road Rental Housing Project

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

Section 1. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT Agreement) with Home Leasing, LLC or an affiliated partnership or housing development fund corporation formed for the following purpose (the Developer) of renovating approximately 150 affordable residential rental units, including approximately 56 units of supportive housing for formerly incarcerated individuals, individuals with HIV/AIDS, and others in need of supportive housing, on the following three properties (collectively, the Project):

STREET ADDRESS	SBL Number
1614-1624 N. Clinton Ave	091.54-1-17
699 East Main St	106.82-1-15
899 Culver Rd	107.71-1-57

This PILOT Agreement shall provide that said parcels shall remain entitled to a real property tax exemption, provided that the Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 2. The term of the PILOT Agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated in accordance with Article 11 of the NYS Private Housing Finance Law and/or other applicable state statutes and regulations for the purpose of providing affordable and supportive housing.

Section 3. The agreement authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-96
Re: Pueblo Nuevo I – Affordable Rental Housing Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Pueblo Nuevo I, the first phase of the larger Pueblo Nuevo affordable rental community project, being undertaken by Ibero-American Development Corporation (IADC) (Eugenio Marlin, Executive Director). Pueblo Nuevo I will be constructed on in-fill sites located in close proximity of La Marketa and the El Camino Neighborhood in Northeast Rochester.

This legislation will:

1. Authorize the sale of 15 parcels of City-owned land at a total of \$22,100, their combined appraised values, to IADC or an affiliated partnership or housing development fund corporation to be formed by IADC.
2. Authorize a \$368,000 HOME funded construction/permanent loan agreement for the project, and appropriate the same amount from the Affordable Housing Fund allocation of the 2019-20 Housing Development Fund to fund the loan.

The loan will serve initially as a 2% construction loan, payable annually. At conversion to permanent financing it will become a 40 year, 2% interest-only, cash flow dependent loan payable annually, with the outstanding principal balance and any accrued interest due at the end of the 40 year term.

3. Authorize property tax exemptions and payment-in-lieu of taxes agreements for the Pueblo Nuevo project, which will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs).
4. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein; and
5. Authorize the Director of Finance to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

The Pueblo Nuevo project, as proposed by IADC, will take place in two phases and result in 104 units of affordable rental housing: creation of the El Camino Community Center which will include a community, business and education center; and dedicated community greenspace. Pueblo Nuevo's project scope, size and locations represents a strategic "purpose built" approach to transform this neighborhood by providing needed affordable housing close to public transportation, existing amenities, support services and job opportunities. Substantial community input contributed to the plans for Pueblo Nuevo. IADC, in coordination with the City of Rochester, engaged the Community Design Center of Rochester (Maria Furguele, Executive Director) in April 2015, to work with area residents and community leaders to create a vision plan for the El Camino neighborhood, one of Rochester's most historically disadvantaged areas. The group met every two weeks, and held a design charrette in November, 2015 to gather input and feedback. The resulting plan, the 2016 El Camino Revitalization Area Vision Plan (ECRAVP) served as an integral resource in the planning of Pueblo Nuevo by IADC and their partners. Three additional community meetings were held in

2016-2017 to inform the project scope, and rezoning needed for the Pueblo Nuevo project to proceed was authorized by Ordinance No. 2017-389. An attachment provided illustrates the site locations for the two phases of the project. The Pueblo Nuevo II project will be presented to City Council once it has secured full project funding.

Pueblo Nuevo I, proposed herein, will include 75 units of affordable rental housing on multiple underutilized sites, primarily located in close proximity to the La Marketa at the International Plaza site. The project includes the rehabilitation of one existing two family structure, new construction of 13 triplex structures, a two story apartment building with 16 apartments, and community green space that will include raised bed gardening, a paviLocal Improvement Ordinance, and a playground as well as a walkway connection to the La Marketa site. The project also includes the adaptive reuse, into 18 apartments, of the building at 938 Clifford Avenue, most recently the site of the Eugenio Maria de Hostos Charter School.

Pueblo Nuevo I will include twenty-seven (27) units targeted to households with income at or below 50% of the Area Median Income (AMI) for the Greater Rochester Median Statistical Area (per HUD, chart attached). Nineteen (19) of those units will be set aside for those with Intellectual/Developmental Disabilities (I/DD). Additionally, forty-four (44) units will be targeted to households with income at or below 60% AMI, and four (4) units will be targeted to households at or below 90% AMI. The project includes four (4) ADA (American Disability Act) accessible apartments, and 2 apartments adapted for the audio/visually impaired.

The Office for People With Developmental Disabilities (OPWDD) is providing both capital funding for construction as well as a housing services agreement with the Ibero-American Action League (IAAL), an IADC affiliate, for ongoing case management and supportive services for the I/DD residents. IAAL brings more than twenty years of experience providing residential services to this high need population. As the only dual language/Latino human services agency in Rochester, and the largest in Upstate New York, its services are targeted to multiple audiences in both English and Spanish. Services are provided within a community-based environment or at-home with a client-centered array of services that allow for maximum individual growth and independence.

The sources and uses for the project are summarized below:

Uses		Permanent Sources	
Acquisition Land/Buildings*	\$35,607	NYS HFA NCP Loan	\$7,125,000
Soft Costs and Working Capital	\$3,064,945	4% Tax Exempt Bonds	\$400,000
Hard Costs	\$16,859,533	Limited Partnership Equity	\$11,447,834
		OPWDD	\$2,811,625
Contingency	\$1,024,411	FHLB & FHLB Accrued Interest	\$1,119,984
Development Fee	\$2,500,120	City of Rochester	\$368,000
Reserves	\$218,990	Deferred Developer Fee	\$374,763
		NYSERDA Capital	\$56,400
TOTAL	\$23,703,606	TOTAL	\$23,703,606

*Acquisition costs include, but are not limited to, real estate sold by the City of Rochester.

Pueblo Nuevo I is anticipated to close on project funding and begin construction in June 2020. Workforce goals for the project are 6.9% women and 20% minorities and 25% City residents, along with a combined goal of 30% for MBE/WBE firms.

The loan was approved by the Loan Review Committee at their meeting on March 24, 2020, and the PILOT was recommended for approval by the PILOT Review Committee on April 3, 2018. A National Environmental Policy Act or NEPA review is underway and will be completed prior to entering into any agreements for the Pueblo Nuevo I project. SEQR review has been completed, and a Negative Declaration was issued for the project on December 12, 2017.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-62

Ordinance No. 2020-96
 (Int. No. 119)

Authorizing sale of City-owned parcels, payment in lieu of taxes and loan agreements for the Pueblo Nuevo Phase I project

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

Section 1. The Council hereby approves the sale of the following parcels of land at the following appraised values to Ibero-American Development Corporation (IADC) to develop the Phase I of the Pueblo Nuevo Affordable Rental Housing Project (the Project):

STREET ADDRESS	SBL NUMBER	SIZE	PRICE
12 HOELTZER ST	106.39-1-72.001		\$ 4,800
24 HOELTZER ST	106.39-1-66.001		\$ 500
36 HOELTZER ST	106.39-1-60.001		\$ 500
44-46 HOELTZER ST	106.39-1-56.001		\$ 500
60-64 HOELTZER ST	106.39-1-47.003		\$ 900
21 KAPPEL PLACE-East Portion	106.38-2-30.001		\$ 700
5 KAPPEL PLACE	106.38-2-39.003		\$ 875
765 NORTH CLINTON AVE	106.38-2-43		\$ 3,500
769-71 N. CLINTON AVE-East Portion	106.38-2-42		\$ 3,900
10 SULLIVAN ST	106.30-2-32		\$ 350
12 SULLIVAN ST	106.31-4-63.003		\$ 450
29 SULLIVAN ST	106.39-1-13.002		\$ 900
37 SULLIVAN ST-East Portion	106.39-1-18.002		\$ 525
51 SULLIVAN STREET	106.39-1-24.2		\$ 2,500
59 SULLIVAN STREET	106.39-1-31.1		\$ 1,200
Total of Sales Prices			\$ 22,100

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. The Mayor is hereby authorized to enter into a loan agreement with IADC or an affiliated partnership or housing development fund corporation formed for the Project (the Developer), for construction and permanent financing of the Project. The loan shall be in the amount of \$368,000, which shall be funded from the Affordable Housing Fund of the Housing Development Fund within the Consolidated Community Development Plan/2019-20 Annual Action Plan, which amount is hereby appropriated to principal. The loan agreement shall have a term that extends to 40 years following completion of Project construction. The loan shall function as a 2% construction loan with interest-only payments due annually until construction is complete, whereupon it shall convert to permanent financing with a term of 40 years that is subject to an annual interest rate of 2% due annually if the Developer has sufficient cash flow with repayment of the loan principal and any unpaid interest due at the end of the loan term. The Director of Finance is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to requirements for Project tax credits and other legal requirements.

Section 4. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT Agreement) with the Developer for the following parcels in order to effectuate the Project:

STREET ADDRESS	SBL NUMBER	SIZE	PRICE
12 HOELTZER ST	106.39-1-72.001	75' x 194'	\$ 4,800
24 HOELTZER ST	106.39-1-66.001	75' x 99'	\$ 500
36 HOELTZER ST	106.39-1-60.001	68' x 133'	\$ 500
44-46 HOELTZER ST	106.39-1-56.001	60' x 133'	\$ 500
60-64 HOELTZER ST	106.39-1-47.003	80' x 133'	\$ 900
21 KAPPEL PLACE-East Portion	106.38-2-30.001	~72' x 81'	\$ 700
5 KAPPEL PLACE	106.38-2-39.003	144' x 80'	\$ 875
765 NORTH CLINTON AVE	106.38-2-43	48' x 145'	\$ 3,500
769-71 N. CLINTON AVE-East Portion	106.38-2-42	40' x ~437'	\$ 3,900
10 SULLIVAN ST	106.30-2-32	34' x 99'	\$ 350
12 SULLIVAN ST	106.31-4-63.003	58' x 99'	\$ 450
29 SULLIVAN ST	106.39-1-13.002	136' x 135'	\$ 900
37 SULLIVAN ST-East Portion	106.39-1-18.002	~60' x 137'	\$ 525
51 SULLIVAN STREET	106.39-1-24.2	210' x 167'	\$ 2,500
59 SULLIVAN STREET	106.39-1-31.1	70' x 167'	\$ 1,200
Total of Sales Prices			\$ 22,100

This PILOT Agreement shall provide that said parcels shall remain entitled to a real property tax exemption, provided that the Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 5. The term of the PILOT Agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated in accordance with Article 11 of the NYS Private Housing Finance Law and for the purpose of providing affordable housing and associated amenities.

Section 6. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the agreements authorized herein.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-97
Re: Liberty Lofts at Sibley Square

Council Priority: Creating and Sustaining a Culture of Vibrancy; Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Liberty Lofts at Sibley Square affordable and workforce housing development undertaken by Winn Development Company (Winn) (Gilbert Winn, Principal) as part of the ongoing transformation of the former Sibley Building into Sibley Square, located at 228 – 280 East Main Street in the Center City.

This legislation will:

1. Appropriate a total of \$310,000 from Cash Capital to the Housing Revolving Loan fund, as follows: \$150,374.06 of 2017-18 Cash Capital and \$159,625.94 of 2018-19 Cash Capital.
2. Authorize a loan agreement for a \$310,000 permanent loan with Sibley Lofts Affordable LLC and Sibley Lofts Workforce LLC, or Sibley Lofts LLC, to be funded from the Housing Revolving Loan Fund appropriated herein.

The loan will serve as a 30 year permanent loan, at 2% interest-only, payable annually with the principal payment due at the end of the 30 year term.

3. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein; and
4. Authorize the Director of Finance to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

The Liberty Lofts at Sibley Square is the third phase of residential development at Sibley Square, and continues the transformation of the former Sibley Building, by redeveloping parts of floors 2, 3, 4 and 5 in the tower section of the building into 104 apartments intended for mixed-income households, with more than half of the units (53) targeted to households with incomes at or below 60% of the area median income (AMI), and the remaining units (51) for households with incomes of up to 110% of AMI. The project is targeted to provide rental housing affordable to workforce households seeking to live in the center city, that are unable to afford market rate units, and also have gross income that exceeds affordable rental housing income thresholds.

The development includes the repurposing of approximately 139,805 sq. ft. of portions of four floors, as noted above, and includes the following apartment types: 4 Studios, 48 one bedroom, 40 one bedroom with den, 10 two bedroom units, and 2 two bedroom with den units. Heat and hot water are included in rent, and electric will be paid by tenants. Residents of the project will have access to amenities located at Sibley Square, including a gym, yoga room, and multipurpose room, a day care center, and business center. Additionally, the forthcoming first floor Commissary, a kitchen business incubator; and the Mercantile on Main, a restaurant marketplace located at the building's Atrium, are both currently under construction. Sibley Square also includes new Citizens Bank and Bank of America locations, services and events coordinated by the non-profit Lifespan, safety benefits of the Rochester Police station on the ground floor and manned security staff onsite 24 hours daily/seven days a week.

This project will utilize the following funding sources: City, Federal Historic Tax Credits, NYS HFA 4% Bond financing, several NYS HCR sources, including: New Construction Program (NCP) funds, Middle Income Housing Program (MIHP) funds and Homes For Working Families (HWF) funds, Low Income Housing Tax Credits and deferred developer fees. The City of Rochester's investment will also include

Restore NY 5 funding received from the New York State Empire State Development (NYS ESD) agency, in the amount of \$1,190,000, which was authorized via Ord. No. 2018-180. A PILOT agreement for the project was authorized via Ord. No. 2012-361, and executed on December 20, 2018.

Due to other funding sources funding requirements, the project closed with a sponsor loan for construction, in place of the City’s Cash Capital loan. The proposed City of Rochester loan will be used for permanent financing. The City of Rochester’s loan was approved by the Loan Review Committee on March 19, 2020. The Liberty Lofts at Sibley Square project closed on construction financing on December 20, 2018, and began construction in January 2019. The project is nearing construction completion, and is anticipated to receive a certificate of occupancy by the end of March 2020. Pre-leasing activities are underway, and initial tenants are anticipated to move into the project beginning in April 2020. Phase 1 of the redevelopment project is known as Landmark at Sibley Square, and includes 72 units of affordable senior rental housing, serving 1 household at or below 50% of Area Median Income (AMI), 53 households at or below 60% (AMI) and 18 units for households at or below 90% AMI. ~~Phase 1 of the redevelopment project is known as Landmark at Sibley Square, and includes 72 units of affordable senior rental housing, serving households at or below 60% of Area Median Income (AMI).~~ Construction was completed in early 2018. Phase 2 is known as Spectra at Sibley Square, and includes 104 units, 81 of which are market rate, and 23 of which are affordable workforce units; ~~including 7 units affordable to households with incomes of up to 80% AMI; 7 units, affordable to households with incomes of up to 90% AMI; and affordable to households with incomes of up to 100% AMI.~~ Combined, the three phases of residential development comprise a total of 280 rental units representing a balanced mix of residential uses in the tower portion of the building.

Liberty Lofts at Sibley Square will complement significant development and interest that has occurred in the Center City in recent years and will provide housing for a range of incomes and household types within this popular area.

The sources and uses for the project are summarized below:

Construction Sources:		Uses of Funds:	
HFA Loans	\$15,230,000	Acquisition	\$1,800,000
LIHTC* Equity	509,250	Construction Costs	20,379,017
Federal HRTC**	434,804	Soft Costs	4,242,042
NYS HCR*** Subsidies	11,796,169	Construction Contingency	1,788,311
Sponsor Loan/	279,000	Reserves and Escrows	307,789
Deferred Reserves	374,079	Developer Fee	1,781,388
Deferred Developer Fee	<u>1,675,245</u>	Total Uses of Funds	\$30,298,547
Total Construction Sources	\$30,298,547		

Permanent Sources:	
HFA Loan	\$5,950,000
LIHTC* Equity	5,092,498
Federal HRTC**	4,348,041
NYS HCR*** Loans	13,106,854
City of Rochester-Restore NY5	1,190,000
City of Rochester – Loan	310,000
Deferred Developer Fee	<u>301,154</u>
Total Permanent Sources	\$30,298,547

*Low-Income Housing Tax Credits, ** Historic Rehabilitation Tax Credit
 *** New York State Homes and Community Renewal

This project is on track to meet its goals of 30% M/WBE contracts (for City and State funds). The project also has workforce goals, including 6.9% women and 20% minorities.

Winn Companies was established in 1971 and is based in Boston, Massachusetts. Winn has a satellite corporate office with over 20 employees at the Sibley Building and regional offices nationwide. To date, Winn has developed over 80 projects and currently manages over 550 properties including 95,000 residential units. The Winn portfolio includes a specialization in historic redevelopment, affordable housing, military base management, mixed-use properties and hotels.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment. No. AT-63

Ordinance No. 2020-97
 (Int. No. 120)

Authorizing loan agreement for the Liberty Lofts at Sibley Square

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

Section 1. The sum of \$310,000 is hereby appropriated to the Housing Revolving Loan Fund from the following sources: \$150,374.06 from 2017-18 Cash Capital and \$159,625.94 from 2018-19 Cash Capital.

Section 2. The Mayor is hereby authorized to enter into a loan agreement with Winn Development Corporation or an affiliated partnership or housing development fund corporation formed for the purpose (the Developer) to provide permanent financing for the Liberty Lofts at Sibley Square consisting of approximately 104 new mixed income residential rental units on parts of floors 2, 3, 4 and 5 of the former Sibley Building (the Project). The loan principal shall be in the amount of \$310,000, which amount is hereby appropriated for that purpose from the Housing Revolving Loan Fund. The loan agreement shall have a term that extends to 30 years following completion of Project construction. The loan interest shall be 2% and interest-only payments shall be due annually with repayment of the loan principal due at the end of the loan term. The Director of Finance is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to requirements for Project tax credits and other legal requirements.

Section 3. The loan agreement authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes: President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Peo -8.

Nays: Councilmember Lupien – 1.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1763
Re: South Avenue/Alexander Street Open Space District LIO No. 1740

Council Priority: Creating and Sustaining a Culture of Vibrancy; Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods; Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation establishing the amount of \$8,900 for maintenance of the South Avenue/Alexander Street Open Space District and authorizing an agreement with South Wedge Area Neighborhood Council (SWANC) of 540 South Avenue, Rochester, New York for \$8,900 to perform the 2020 -21 maintenance. Local Improvement Ordinance No. 1740 re-established the District in 2018 for a term of ten years.

The annual charges for maintenance of the open space will be apportioned among these properties based upon their assessed values and in relation to their proximity to the open space (without reduction for exemptions). Parcels in the Outer Tier of the district shall be charged at half the rate as the Inner Tier parcels. The boundaries of the tiers will remain as follows:

- o The Inner Tier of the district shall consist of properties fronting on South Avenue from Comfort Street to Hamilton Street and properties fronting on Alexander Street between South Clinton Avenue and Kirley Alley/Stebbins Street, but excluding the corner parcels at South Clinton Avenue.
- o The Outer Tier of the district shall consist of the remaining properties in the area bounded by Mt. Hope Avenue, Byron Street, South Clinton Avenue, and Hamilton Street, including the parcels on the south side of Hamilton Street and the parcels fronting on South Avenue between Hamilton Street and Averill Avenue.

This assessment provides for maintenance of the landscaped open space at 62 Alexander Street including cutting grass, trimming shrubs, watering, weeding, trash pick-up and removal, lighting, and fall leaf clean-up. The cost for these services is based on estimates provided by the South Wedge Area Neighborhood Council (SWANC).

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-64

Local Improvement Ordinance No. 1763
(Int. No. 121)

Local Improvement Ordinance – authorizing special work and services related to the South Avenue/Alexander Street Open Space District

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

Section 1. The cost of special work and services for the 2020-21 fiscal year for the South Avenue/Alexander Street Open Space District reestablished by Local Improvement Ordinance No. 1740 is established at \$8,900, which amount shall be assessed and billed on the 2020-21 tax bill as follows: apportioned among the properties based upon their assessed values and in relation to their proximity to the open space (without reduction for exemptions). Parcels in the Outer Tier of the district shall be charged at half the rate of the Inner Tier parcels. Any assessment not paid by its due date shall be a lien upon the property billed and a personal obligation of the property owner.

Section 2. The Council hereby finds that it would be impracticable to select a maintenance contractor through competitive bidding, designates the South Wedge Area Neighborhood Council, Inc. to perform the special work and services, and authorizes the Mayor to enter into an agreement with said Association for this purpose.

Section 3. The agreement shall obligate the City to pay an amount not to exceed \$8,900, and said amount, or so much thereof as may be necessary, is hereby appropriated from the assessments authorized herein.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Introductory Nos. 76 and 77 were introduced on March 17, 2020 and appear with the original transmittal letter on page 93 of the 2020 Council Proceedings.

Ordinance No. 2020-98
(Int. No. 76)

Determinations and findings relating to the acquisition of properties for the Flower City School No. 54 campus modernization project

WHEREAS, the City of Rochester proposes to acquire the parcels at 56 Aab Street, 2 Chace Street, 12 Chace Street, 291 Sherman Street, 295 Sherman Street, and 301 Sherman Street (the "Properties") to effectuate the Flower City School No. 54 campus modernization project (the "Project"), and

WHEREAS, the Council of the City of Rochester held a public hearing on March 12, 2020 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of said parcels and 2 speakers appeared at the hearing.

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

Section 1. The Council hereby makes the following determinations and findings concerning the acquisition of the Properties for the Project:

- E. Project description – The Project will expand the Flower City School campus to satisfy New York State Education Department standards.
- F. Project purpose – to enhance student safety and wellbeing by providing sufficient space on the school campus for play fields, bus drop-off and pickup areas and parking.
- G. Relocation assistance and compensation – The Project will require the removal of several residential dwellings. In accordance with the City’s rules and regulations for relocation benefits approved in Resolution No. 2002-25, fair notice will be given to the occupants of the Properties and a moving allowance of up to \$1,000 will be provided for each dwelling unit. In addition, those occupants who request it will be provided with professional assistance to find comparable replacement housing before they are required to vacate.
- H. Project effect – The acquisition of the Properties and the overall Project will have no significant adverse environmental effects. The acquisition of the Properties has been reviewed under the State Environmental Quality Review Act (“SEQR”) and Chapter 48 of the Municipal Code, a SEQR Environmental Assessment Form has been completed, and the Project has been determined to have no potential significant adverse environmental impacts, pursuant to an Amended Negative Declaration issued by the Rochester Joint Schools Construction Board on February 10, 2020.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes: President Scott, Councilmembers Evans, Gruber, Lightfoot, Ortiz, Patterson, Peo -7.

Nays: Councilmember Lupien – 1.

Councilmember Harris abstained due to a professional relationship.

Ordinance No. 2020-99
(Int. No. 77)

Authorizing the acquisition by negotiation or condemnation of properties for the Flower City School No. 54 campus modernization project

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

Section 1. The Council hereby approves the acquisition of the following parcels for the maximum acquisition amounts indicated to effectuate the Flower City School No. 54 campus modernization project:

Property Address	Reputed Owner	SBL#	Type	Maximum Acquisition Amount
56 Aab Street	Brenda A. Smith	105.50-1-27	1 Family	\$43,000
2 Chace Street	Eve C. Baker	105.50-1-20	1 Family	\$29,000
12 Chace Street	Kevin P. Burke	105.50-1-25.1	1 Family	\$36,000
291 Sherman Street	VNV Properties Inc.	105.50-1-18	2 Family	\$53,000
295 Sherman Street	Nicky & Shilo Labrie	105.50-1-17	1 Family	\$40,000
301 Sherman Street	Nexus Capital Real Estate SPE, LLC	105-50-1-16	1 Family	\$40,000

Section 2. The acquisition amounts and necessary relocation and closing costs shall be funded from Rochester Schools Modernization Program funds, which were appropriated on behalf of the City and the Rochester City School District by the Rochester Joint Schools Construction Board on December 9, 2019 in Resolution 2019-20: 68.

Section 3. City taxes and other current-year charges against said parcels shall be canceled from the date of acquisition closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City owns the parcels, shall also be canceled.

Section 4. In the event that any of said parcels cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings to acquire said parcel. In the event of condemnation, the amount set forth herein for the acquisition shall be the amount of the offer. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisition of said parcel pursuant to the Eminent Domain Procedure Law.

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes: President Scott, Councilmembers Evans, Gruber, Lightfoot, Ortiz, Patterson, Peo -7.

Nays: Councilmember Lupien – 1.

Councilmember Harris abstained due to a professional relationship.

By Councilmember Gruber
April 14, 2020

To the Council:

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

- Int. No. 122 Authorizing funding for the 2018 Preventive Maintenance Group No. 2 project
- Int. No. 123 Resolution authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Alexander Street & Scio Street Highway Preventive Maintenance (Group 2)
- Int. No. 124 Authorizing funding and an agreement for the 2020 Preventive Maintenance Group 9 project
- Int. No. 125 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,355,000 Bonds of said City to finance the 2020 Preventive Maintenance Group 9 Project

- Int. No. 126 Resolution authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Northeast Group 9 Highway Preventive Maintenance
- Int. No. 128 Authorizing an agreement for the 2020 Lake Avenue Milling and Resurfacing Program
- Int. No. 129 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,456,000 Bonds of said City to finance the 2020 Lake Avenue Milling and Resurfacing Program
- Int. No. 130 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$342,000 Bonds of said City to finance the replacement of water lines and services associated with the 2020 Lake Avenue Milling and Resurfacing Program
- Int. No. 131 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,220,000 Bonds of said City to finance certain costs of the Northwest Quadrant Contract 2020 – Phase 1 Hazardous Sidewalk Replacement Program
- Int. No. 132 Authorizing receipt and use of reimbursement funds from the Rochester Pure Waters District
- Int. No. 133 Resolution authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Waring Road from Culver Road to Norton Street
- Int. No. 134 Appropriating Community Development Block Grant funds to improvements at Don Samuel Torres Park
- Int. No. 135 Authorizing the receipt and use of State funds for a recreational trail program
- Int. No. 136 Resolution authorizing the City of Rochester CSX Acquisition project
- Int. No. 137 Authorizing an agreement for the Vacuum Oil Brownfield Opportunity Area River Trail
- Int. No. 138 Authorizing a grant agreement and appropriation for the David F. Gantt R-Center
- Int. No. 139 Authorizing receipt of a grant and an amendatory agreement for the Rundel Library Structural Terrace Improvements Phase IV Project
- Int. No. 141 Authorizing an engineering design services agreement for the St. Paul Street Underpass Improvement Project
- Int. No. 148 Amending Ordinance No. 2020-74 relating to Magee Avenue/Raines Park Improvement Project

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

- Int. No. 127 Authorizing pavement width changes for the Carter Street and North Street Milling & Resurfacing Program
- Int. No. 140 Local Improvements Ordinance – establishing the operation, installation and maintenance costs of street lighting special assessment districts
- Int. No. 149 Local Improvement Ordinance – care and embellishment of street malls for 2020-21
- Int. No. 150 Continuation of Local Improvement Ordinance No. 1619 Relating to the Norton Street Urban Renewal District Streetscape District
- Int. No. 151 Local Improvement Ordinance – establishing the operating and maintenance costs of special assessments for streetscape enhancements
- Int. No. 152 Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District

Respectfully submitted,
 Mitch Gruber (*Abstained on Int. Nos. 139*)
 Malik Evans
 Jose Peo
 Willie Lightfoot
 Loretta C. Scott
 PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-100
Resolution No. 2020-19
Re: 2018 Preventive Maintenance Group No. 2 Alexander Street (Mt. Hope Avenue to East Main Street) and Scio Street (East Avenue to Central Park)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the 2018 Preventive Maintenance Group No. 2 Project. This legislation will:

1. Appropriate \$26,348 in additional anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of construction for the project; and,
2. Appropriate \$4,940 in additional anticipated reimbursements from the New York State Marchiselli Aid Program to fund a portion of construction for the project; and,
3. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City's prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This is a Federal Aid project that is administered by the City under an agreement with the NYSDOT. FHWA funds and Marchiselli Aid funds were appropriated for construction from anticipated reimbursements in May 2019 (Ordinance No. 2019-128).

Street improvements will include milling and resurfacing of the pavement, curb ramp upgrades, strategic hazardous sidewalk replacements, pavement markings, and adjustment and repair of manholes, receiving basins, and water valve castings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

The project was designed by C&S Engineers, Inc. (John D. Trimble, 150 State Street, Suite 120, Rochester, New York). Resident Project Representation (RPR) services are being provided by T.Y. Lin International Engineering & Architecture, P.C. (James Krapf, P.E., Principal, 255 East Avenue, Rochester, New York). Villager Construction, Inc. (Timothy O. Lawless, C.E.O., 425 Old Macedon Center Road, Fairport, New York) is the contractor for construction.

Construction began in spring 2019 and is anticipated to be substantially complete in summer 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-66

Ordinance No. 2020-100
(Int. No. 122)

Authorizing funding for the 2018 Preventive Maintenance Group No. 2 project

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

Section 1. The sum of \$26,348 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the construction of the 2018 Preventive Maintenance Group No. 2 project, including portions of Alexander Street (Mt. Hope Avenue to East Main Street) and Scio Street (East Avenue to Central Park) (collectively, the Project).

Section 2. The Council hereby authorizes the receipt and use of \$4,940 in anticipated reimbursements from the New York State Department of Transportation's Marchiselli Aid program and appropriates that sum to fund the Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2020-19
(Int. No. 123)

Resolution authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Alexander Street & Scio Street Highway Preventive Maintenance (Group 2)

WHEREAS, a Project for Alexander Street & Scio Street Highway Preventive Maintenance (Group 2), P.I.N. 4CR0.01 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of design, construction and construction inspection services.

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

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

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of design, construction and construction inspection works for the Project or portions thereof;

THAT the sum of \$3,759,937 is hereby appropriated pursuant to Ordinance No. 2017-10 as amended by Ordinance No. 2018-92 (\$289,302), Ordinance No. 2018-395 (\$10,550), Ordinance Nos. 2019-128 and 2019-129 and the other ordinances and cash capital accounts recited therein (\$3,428,797), and the accompanying Ordinance No. 2020-100 (\$31,288) and made available to cover the cost of participation in the above phases of the Project;

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-101
Ordinance No. 2020-102
Resolution No. 2020-20
Re: Re: 2020 Preventive Maintenance Group 9 Hudson Avenue (North Street to NY Route 104) and St. Paul Street (Central Avenue to Gorham Street)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the 2020 Preventive Maintenance Group 9 Project. This legislation will:

1. Appropriate \$2,956,800 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the construction and Resident Project Representation (RPR) services for the project; and,
2. Appropriate \$554,400 in anticipated reimbursements from the New York State Marchiselli Aid Program to finance a portion of the construction and RPR services for the project; and,
3. Appropriate an additional \$26,697.29 in anticipated reimbursements from the New York State Marchiselli Aid Program to finance a portion of the design services for the project; and,

4. Amend Ordinance No. 2017-11, as amended by Ordinance 2018-66, which established funding for the agreement with Erdman, Anthony and Associates, Inc. (Curt Helman, C.E.O., 145 Culver Road, Suite 200, Rochester, New York) for design services related to this project, by reducing the 2016-17 Cash Capital by \$26,697.29, and replacing those funds with the \$26,697.29 of the NYS Marchiselli Aid appropriated herein.
5. Authorize the issuance of bonds totaling \$1,355,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and RPR services for the project; and,
6. Establish \$600,000 as maximum compensation for a professional services agreement with Stantec Consulting Services Inc. (James R. Hofmann Jr., P.E., Principal, 61 Commercial Street, Suite 100, Rochester, New York), for RPR services. The cost of the project will be funded from the sources outlined in the chart on the following page; and,
7. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City's prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This is a Federal Aid project that is administered by the City under an agreement with the NYSDOT.

Street improvements will include pavement milling and resurfacing, curb ramp upgrades, spot curb and hazardous sidewalk replacement, pavement markings, and adjustment and repair of manholes, receiving basins, and water valve castings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure. Improvements to pedestrian and bicycle facilities in accordance with the Rochester Complete Streets Policy have been integrated into the design.

The project was designed by Erdman, Anthony and Associates, Inc. (Curt Helman, C.E.O., 145 Culver Road, Suite 200, Rochester, New York).

Stantec Consulting Services Inc. (James R. Hofmann, Jr., 61 Commercial Street, Suite 100, Rochester, New York) was selected for RPR services from the NYSDOT list of pre-approved regional engineering firms. The term for the agreement shall continue until six (6) months after completion of the project.

Bids for construction were received on February 25, 2020. The apparent low bid of \$4,496,875 was submitted by Villager Construction Inc. (Timothy O. Lawless, C.E.O., 425 Old Macedon Center Road, Rochester, New York), which includes a 5% construction contingency in the bid.

The project will be funded as follows:

Source of Funds	Design	Construction	RPR	Total
Federal Aid appropriated Ordinance No. 2017-11	287,200.00	0	0	287,200.00
2016-17 Cash Capital	24,574.71	0	0	\$24,574.71
Marchiselli Aid appropriated Ordinance No. 2018-66	20,528.00			\$20,528.00
Federal Aid appropriated herein	0	2,634,570.00	322,230.00	\$2,956,800.00
Marchiselli Aid appropriated herein	26,697.29	493,980.00	60,420.00	\$581,097.29
Bonds authorized herein	0	1,197,185.00	157,815.00	\$1,355,000.00
Anticipated Pure Waters Reimbursement to be appropriated April 2020 Council	0	98,480.00	0	\$98,480.00
2014-15 Cash Capital	0	14,580.94	0	\$14,580.94
2015-16 Cash Capital	0	26,680.26	0	\$26,680.26
2017-18 Cash Capital	0	31,398.80	8,900.00	\$40,298.80
2019-20 Cash Capital	0	0	50,635.00	\$50,635.00
Total	\$359,000.00	\$4,496,875.00	\$600,000.00	\$5,455,875.00

Construction is anticipated to begin in spring 2020 and will be substantially complete in fall 2020.

The project's construction and RPR services will result in the creation and/or retention of the equivalent of 55.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-67

Ordinance No. 2020-101
(Int. No. 124)

Authorizing funding and an agreement for the 2020 Preventive Maintenance Group 9 project

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

Section 1. The sum of \$2,956,800 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the 2020 Preventive Maintenance Group 9 project, including portions of Hudson Avenue (North Street to NY Route 104) and St. Paul Street (Central Avenue to Gorham Street) (collectively, the Project).

Section 2. The sum of \$581,097.29 in anticipated reimbursements from the New York State Department of Transportation's Marchiselli Aid program is hereby appropriated to fund the Project.

Section 3. Ordinance No. 2017-11, as amended by Ordinance No. 2018-66, which established funding for a professional service agreement with Erdman, Anthony and Associates, Inc. for design services for the Project, is hereby amended by reducing the 2016-17 Cash Capital allocated to said agreement by \$26,697.29, and allocating \$26,697.29 of the Marchiselli funds appropriated by Section 2 herein as a substitute.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Stantec Consulting Services Inc. to provide resident project representation services for the Project. The maximum compensation for the agreement shall be \$600,000, which shall be funded in the amounts of \$322,230 from the FHWA funds appropriated in Section 1 herein, \$60,420 of the Marchiselli aid appropriated in Section 2 herein, \$157,815 from the proceeds of bonds to be authorized in a bond ordinance concurrent herewith, \$8,900 in 2017-18 Cash Capital, and \$50,635 in 2019-20 Cash Capital. The term of the agreement shall continue until 6 months after completion of the Project.

Section 5. The agreement shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-102
(Int. No. 125)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,355,000 Bonds of said City to finance the 2020 Preventive Maintenance Group 9 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 for the 2020 Preventive Maintenance Group 9 Project consisting of pavement milling and resurfacing, curb ramps upgrades, spot curb and sidewalk replacement, pavement markings, and adjustment and repair of manholes, receiving basins, and water valve castings on portions of Hudson Avenue (North Street to NY Route 104) and St. Paul Street (Central Avenue to Gorham 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 \$5,455,875. The plan of financing includes the issuance of \$1,355,000 bonds of the City to finance a portion of said appropriation, the proceeds of which are hereby appropriated to the Project, \$287,200 in anticipated reimbursements from the Federal Highway Administration (Ordinance No. 2017-11, as amended in Ordinance No. 2018-66), \$20,528 in NYS Marchiselli Aid Program reimbursements (Ordinance No. 2018-66), \$2,956,800 in anticipated reimbursements from the Federal Highway Administration appropriated concurrent with this Ordinance (Ordinance No. 2020-101), \$581,097 in NYS Marchiselli Aid Program reimbursements appropriated concurrent with this Ordinance (Ordinance No. 2020-101), \$98,480 in anticipated reimbursements from the Rochester Pure Waters District (Ordinance No. 2020-108; \$14,581 from 2014-15 Cash Capital, \$26,680 from 2015-16 Cash Capital; \$24,575 from 2016-17 Cash Capital, \$40,299 from 2017-18 Cash Capital, \$50,635 from 2019-20 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 \$1,355,000 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 \$1,355,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

Passed unanimously.

Resolution No. 2020-20
(Int. No. 126)

Resolution authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Northeast Group 9 Highway Preventive Maintenance

WHEREAS, a Project for Northeast Group 9 Highway Preventive Maintenance, P.I.N. 4CR0.03 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of design, construction and construction inspection services.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester as follows:
THAT the Council of the City of Rochester hereby approves the above-subject Project;

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of design, construction and construction inspection works for the Project or portions thereof;

THAT the sum of \$5,455,875 is hereby appropriated pursuant to Ordinance No. 2020-102 and the prior and concurrent ordinances and Cash Capital allocations cited therein and made available to cover the cost of participation in the above phases of the Project;

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-103
 Re: Pavement Width Changes – Carter Street and North Street Milling and Resurfacing Program 2019, Carter Street (Norton Street to Portland Avenue) and North Street (Norton Street to Portland Avenue)

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing changes in pavement width related to the Carter Street and North Street Milling & Resurfacing project.

1. On North Street:
 - a. A decrease in pavement width of 7 feet, from 40 feet to 33 feet, beginning at Cleveland Street and continuing approximately 46 feet northward; and,
 - b. A decrease in pavement width of 7 feet, from 40 feet to 33 feet, beginning at a point 54 feet north of the previous point for a distance of 91 feet northward.

In addition to pavement width changes, this project includes pavement milling and resurfacing, curb ramp upgrades, spot curb and hazardous sidewalk replacement, pavement markings, and adjustment and repair of manholes, receiving basins, and water valve castings. The pavement width changes will introduce curb bump-outs to allow for protected parking on the west side of North Street near Cleveland Avenue.

No additional right-of-way is required to accommodate the changes in pavement width. The pavement width changes were presented for endorsement at the March 23, 2020 Traffic Control Board meeting. A public hearing on the pavement width changes is required.

The proposed pavement width changes will be added as a change order to the project.

The project was designed by the City of Rochester's Bureau of Architecture and Engineering-Street Design Division. Resident Project Representation (RPR) services are being provided by Joseph C. Lu Engineers, P.C. (Cletus O. Ezenwa, P.E., 339 East Avenue, Suite 200, Rochester, New York). Hewitt Young Electric, LLC (Mark R. Spall, President, 645 Maple Street, Rochester, New York) is the contractor for construction.

Construction began in summer 2019 and is anticipated to be substantial complete in summer 2020.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-68

Ordinance No. 2020-103
 (Int. No. 127)

Authorizing pavement width changes for the Carter Street and North Street Milling & Resurfacing Program

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

Section 1. Council hereby approves the following pavement width changes for the Carter Street and North Street Milling & Resurfacing Program:

- A) on North Street, a decrease in pavement width of 7 feet, from 40 feet to 33 feet, beginning at Cleveland Street and continuing approximately 46 feet northward; and
- B) on North Street, a decrease in pavement width of 7 feet, from 40 feet to 33 feet, beginning at a point approximately 54 feet north of the end point in clause A above and continuing approximately 91 feet northward.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

- Ordinance No. 2020-104
- Ordinance No. 2020-105
- Ordinance No. 2020-106

Re: Lake Avenue Milling and Resurfacing Project 2020 (Burley Road to Pattonwood Drive)

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to Lake Avenue Milling and Resurfacing Project 2020. This legislation will:

1. Establish \$340,000 as maximum compensation for a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro V. Giovenco, CEO 280 E. Broad Street, Suite 200, Rochester, NY) for Resident Project Representation (RPR) services. The cost of the project will be funded from the sources outlined in the chart on the following page; and,
2. Authorize the issuance of bonds totaling \$1,456,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and RPR Services for the project; and,
3. Authorize the issuance of water bonds totaling \$342,000 and the appropriation of the proceeds thereof to finance the water portion of construction and RPR services for the project.

The project includes pavement milling and resurfacing, curb ramp upgrades, spot curb and hazardous sidewalk replacement, pavement markings, and adjustment and repair of manholes, receiving basins, and water valve castings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

The Project was designed by the City of Rochester Bureau of Architecture and Engineering – Street Design Division.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro V. Giovenco, C.E.O., 280 East Broad Street, Rochester, New York) was selected for RPR Services through a Request for Proposal process, which is described in the attached summary. The agreement shall have a term of three (3) months after completion of the two-year guarantee inspection of the project.

Bids for construction were received on March 3, 2020. The apparent low bid of \$1,873,674.50 was submitted by Ramsey Constructors, Inc. (Christopher Ramsey, C.E.O., 5711 Gateway Park, Lakeville, New York).

The project will be funded as follows:

Source of Funds	Construction	RPR	Contingency	Total
DASNY grant appropriated 2015-120	367,558.24	0	0	\$367,558.24
Bonds authorized herein	1,029,328.06	286,983.31	139,688.63	\$1,456,000.00
Water bonds authorized herein	268,147.20	47,038.08	26,814.72	\$342,000.00

Anticipated Pure Waters Reimbursement to be appropriated April 2020 Council	208,641.00	0	20,864.10	\$229,505.10
2019-20 Cash Capital	0	5,978.61	0	\$5,978.61
Total	\$1,873,674.50	\$340,000.00	\$187,367.45	\$2,401,041.95

Construction is anticipated to begin in spring 2020 with substantial completion in fall 2020. The project will result in the creation and/or retention of the equivalent of 26.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-69

Ordinance No. 2020-104
(Int. No. 128)

Authorizing an agreement for the 2020 Lake Avenue Milling and Resurfacing Program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide resident project representation services for the 2020 Lake Avenue Milling and Resurfacing Program (the "Program"). The maximum compensation for the agreement shall be \$340,000, and said amount or so much thereof as may be necessary, shall be funded in the amounts of \$286,983.31 from the proceeds of street improvement bonds appropriated for the Program in a concurrent bond ordinance, \$47,038.08 from the proceeds of water service bonds appropriated for the Program in a concurrent bond ordinance, and \$5,978.61 in 2019-20 Cash Capital. The term of the agreement shall continue until 3 months after completion of the two-year guarantee inspection of the Program.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-105
(Int. No. 129)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,456,000 Bonds of said City to finance the 2020 Lake Avenue Milling and Resurfacing Program

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the cost of the 2020 Lake Avenue Milling and Resurfacing Program, extending from Burley Road to Pattonwood Drive and including pavement milling and resurfacing, curb ramp upgrades, spot curb and sidewalk replacement, pavement markings, and adjustment and repair of manholes, receiving basins, and water valve casting (the "Program"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,059,042. The plan of financing includes the issuance of \$1,456,000 bonds of the City, which amount is hereby appropriated therefor, \$367,558 in Dormitory Authority of the State of New York grant funds appropriated in Ordinance No. 2015-120, \$342,000 in Water Bonds authorized in the accompanying Ordinance No. 2020-106, \$229,505 in anticipated reimbursements from the \$750,000 Monroe County Pure Waters public works reimbursement fund authorized in Ordinance No. 2020-108, \$5,979 in 2019-2020 Cash Capital and hereby appropriated therefor, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,456,000 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 \$1,456,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2020-106
(Int. No. 130)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$342,000 Bonds of said City to finance the replacement of water lines and services associated with the 2020 Lake Avenue Milling and Resurfacing Program

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of replacing water lines and services as water related construction and resident project representation services on Lake Avenue (from Burley Road to Pattonwood Drive) related to the 2020 Lake Avenue Milling and Resurfacing Program (the "Program"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$342,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$342,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$342,000 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 \$342,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-107
Re: Hazardous Sidewalk Replacement Program Northwest Quadrant Contract 2020 – Phase I

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is authorizing the issuance of bonds totaling \$1,220,000 and the appropriation of the proceeds thereof to partially finance all portions of the project.

The project will replace sidewalk flags that are in hazardous condition in the Northwest quadrant of the City.

The project was designed by the City of Rochester Bureau of Architecture and Engineering – Street Design Division.

The existing term contract for Resident Project Representation (RPR) services for hazardous sidewalk replacement will be utilized for this project.

Bids for construction were received on March 3, 2020. The apparent low bid of \$1,223,320 was submitted by Espana Enterprises, LLC (Scott Spring, President, 174 Culver Street, Rochester, New York).

The project will be funded as follows:

Source of Funds	Construction	Contingency	Total
Bonds issued herein	\$1,220,000	\$0	\$1,220,000
2018-19 Cash Capital	3,320	176,680	\$180,000
Total	\$1,223,320	\$176,680	\$1,400,000

Construction is anticipated to begin in spring 2020 with substantial completion in fall 2020.

The project will result in the creation and/or retention of the equivalent of 15.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-70

Ordinance No. 2020-107
(Int. No. 131)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,220,000 Bonds of said City to finance certain costs of the Northwest Quadrant Contract 2020 - Phase 1 Hazardous Sidewalk Replacement Program

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 Northwest Quadrant Contract 2020 - Phase 1 Hazardous Sidewalk Replacement Program, along streets noted on the attached Area Map (Exhibit A), including costs of repair and replacement of hazardous and failing sidewalks (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 \$1,400,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,220,000 bonds of the City to finance said appropriation, application of \$180,000 of 2018-2019 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 \$1,220,000 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 \$1,220,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

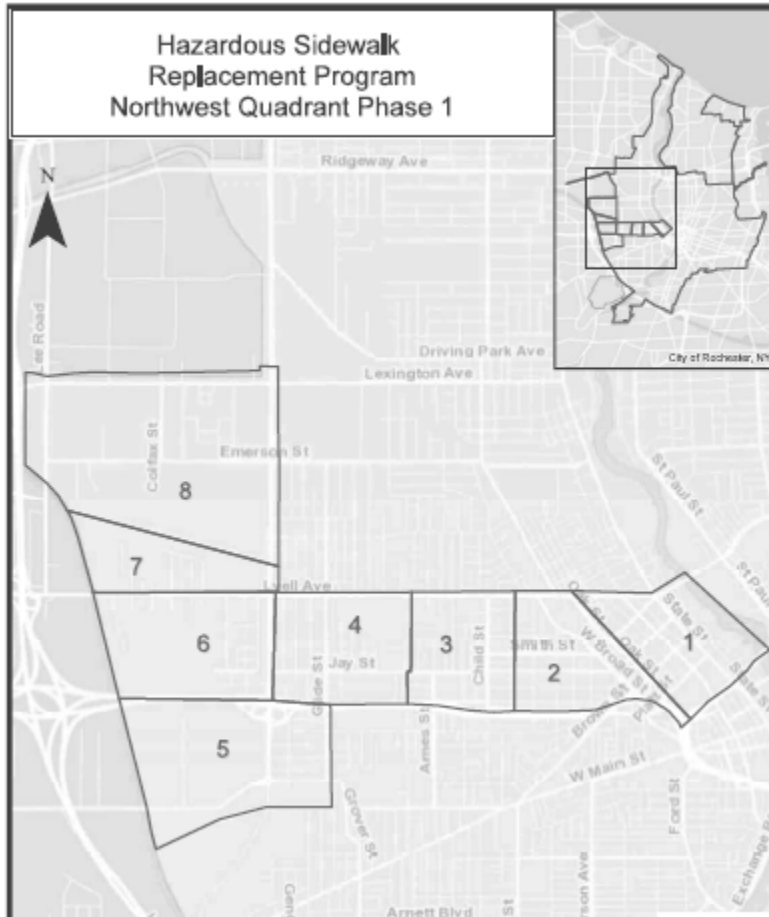
Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties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

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

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

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

**Exhibit A
Area Map**



Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-108
Re: Appropriation – Rochester Pure Waters District, Street Improvement Projects

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing the receipt and use of up to \$750,000 in anticipated reimbursements from the Rochester Pure Waters District (RPWD) to fund eligible portions of sewer costs on street improvement projects in accordance with the agreement authorized between the City and RPWD via Ordinance No. 2010-438.

Street improvements can require ancillary repairs to the sewer system including adjustments, repairs, replacements, and improvements to the sewer system manholes and catch basins. In the agreement referenced above, RPWD assumed responsibility for these maintenance costs and agreed to reimburse the City annually for the work.

The sewer improvements will result in the creation and/or retention of the equivalent of 8.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-108
(Int. No. 132)

Authorizing receipt and use of reimbursement funds from the Rochester Pure Waters District

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

Section 1. The Mayor is hereby authorized to accept and use reimbursement funds of \$750,000 from the Rochester Pure Waters District for sewer improvements associated with the City's street improvement program in accordance with the agreement authorized by Ordinance No. 2010-438.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2020-21
Re: Grant Agreement – Waring Road Improvement (Culver Road to Norton Street)

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Waring Road Improvement Project. This legislation will:

1. Confirm that in Ordinance No. 2010-258 the City has appropriated the sum of \$393,000 for engineering planning and design services for the project; and,
2. Confirm that in Ordinance No. 2011-282 the City has appropriated the sum of \$296, 200 \$296,150 for engineering planning and design services for the project; and,
3. Confirm that in Ordinance No. 2019-313 the City has appropriated the sum of \$175,000 for design, right-of-way incidentals and acquisition services for the project; and,
4. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City's prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This is a New York State funded Project that is administered by the City under an agreement with the NYSDOT.

Street improvements will include pavement reconstruction, new curbs and bump-outs, realignment of intersecting streets, sidewalks, street lighting improvements, water main installation, water services (including the replacement of 12 existing lead-containing galvanized services), hydrants, catch basins, manhole frames and covers, bio-retention areas, landscaping, bicycle lanes and restoration of all disturbed lawn areas. Improvements to pedestrian and bicycle facilities in accordance with the Rochester Complete Streets Policy have been integrated into the design. Minor right-of-way corner takings will be included as part of the project.

This project is being designed by CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. (Todd M. Liebert, C.E.O., 205 Saint Paul Street, Suite 500, Rochester, New York).

Design services started in 2011. Final design and right-of-way acquisitions began in early 2020. Construction is anticipated to begin in spring 2021 with substantial completion in fall 2022.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-71

Resolution No. 2020-21
(Int. No. 133)

Resolution authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor: Waring Road from Culver Road to Norton Street

WHEREAS, a Project for Waring Road from Culver Road to Norton Street, P.I.N. 4754.40 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 % Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of engineering planning, design and right-of-way incidentals services.

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

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

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of engineering planning, design and right-of-way incidentals works for the Project or portions thereof;

THAT the sum of \$864,200.00 is hereby appropriated pursuant to Ordinance No. 2010-258 (\$393,000), Ordinance No. 2011-282 (\$296,150) and pursuant to Ordinance No. 2019-313 (\$175,000) and made available to cover the cost of participation in the above phases of the Project;

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-109
Re: Community Development Block Grant, Infrastructure and Playground Improvements

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the appropriation of \$300,000 of 2019-20 Community Development Block Grant (CDBG) funds from the Department of Recreation and Youth Services (DRYS) Infrastructure – Play Apparatus allocation of the General Community Needs Fund of the Community Development Plan for improvements at Don Samuel Torres Park. The proposed improvements at Don Samuel Torres Park are replacement of basketball court, enhanced baseball field and shade trees.

Construction for Don Samuel Torres Park is anticipated to begin in summer 2020 with substantial completion in fall 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-72

Ordinance No. 2020-109
(Int. No. 134)

Appropriating Community Development Block Grant funds to improvements at Don Samuel Torres Park

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

Section 1. The Council hereby appropriates \$300,000 in Community Development Block Grant (CDBG) funds to fund improvements at Don Samuel Torres Park. The CDBG funds shall be appropriated from the DRYS Infrastructure – Play Apparatus allocation of the Consolidated Community Development Plan/2019-2020 Annual Action Plan.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-110
Resolution No. 2020-22
Re: Grant Acceptance and Appropriation–NYS OPRHP - Recreational Trail Program, City of Rochester CSX Acquisition

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation to:

1. Authorize the Mayor to enter into agreements with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), as necessary, to participate in and administer the projects; and,
2. Authorize the receipt and use of \$250,000 in awarded funding through the Recreational Trail Program of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP); and,
3. Approve a resolution, in a form that is required by OPRHP, that will approve the City's acceptance of grant funds and delegating signing authority to execute the New York State Master Contract for Grants ("Master Contract") and any deed of easement that may be required.

The project proposes to acquire two inactive rail corridors from CSX for eventual conversion to trail, one is the JOSANA Corridor in the City and the other is the Seneca Corridor located in the Town of Irondequoit. The acquisition and conversion will advance the goals of numerous state, regional, city and neighborhood plans for expansion of alternative transportation opportunities and access to green space and recreational opportunities.

The JOSANA corridor runs between Oak Street and Hague Street, south of and parallel to Lyell Avenue. As envisioned in the 2010 JOSANA Neighborhood Master Plan and the 2015 JOSANA Rails-to-Trails Feasibility Study, the project would include a new trail with facilities for recreation, fitness, community gardens and open space, in a neighborhood that presently not served by similar facilities.

The Seneca corridor is located on the east side of the Genesee River and extends from the northern limits of the City owned Seneca Park at Seneca Park Avenue, north to Thomas Avenue and then easterly to approximately 500' east of St. Paul Boulevard. The entire corridor is located in the Town of Irondequoit with the western boundary of the parcel, as it parallels the river, on the City/Town line. Upon conversion the trail would be a northern extension of the El Camino Trail, providing greater connectivity between the El Camino neighborhood and the larger City and regional trail system.

The OPRHP Recreational Trail Program grant will be combined with City funding of \$500,000 (2018-19 Cash Capital) to acquire both corridors.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-73

Ordinance No. 2020-110
(Int. No. 135)

Authorizing the receipt and use of State funds for a recreational trail program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for the receipt and use of a \$250,000 grant from OPRHP’s Recreational Trail Program to acquire inactive railway corridors for eventual conversion to trails within the JOSANA neighborhood and adjacent to the north of Seneca Park (the Program). Council hereby approves the allocation of \$500,000 in 2018-19 Cash Capital as additional funding for the Program.

Section 2. The Mayor is hereby authorized to enter into such other agreements and to execute such deed covenants, easements and other documentation as are necessary to effectuate the Program. The Program agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2020-22
(Int. No. 136)

Resolution authorizing the City of Rochester CSX Acquisition project

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

Section 1. The City of Rochester applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) under the Recreational Trails Program for the purpose of funding the City of Rochester CSX Acquisition (the Project).

Section 2. The City of Rochester is authorized and directed to accept these grant funds in an amount not to exceed \$250,000 for the Project described in the grant application.

Section 3. The City of Rochester is authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for such development of the City of Rochester CSX Acquisition.

Section 4. The City of Rochester is authorized and directed to agree to the terms and conditions of any required deed of easement granted to OPRHP that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant.

Section 5. The Council of the City of Rochester delegates signing authority to execute the Master Contract and any required deed of easement to the Mayor of the City of Rochester.

Section 6. This Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-111
Re: Agreement – Bergmann Associates, Vacuum Oil BOA River Trail

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods & Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., (Pietro V. Giovenco – Chief Executive Officer, 280 E. Broad Street, Suite 200, Rochester, New York) for design services for the Vacuum Oil BOA River Trail. The cost of the agreement will be financed from 2018-19 Cash Capital.

After more than two decades of investigation, study and planning, and in collaboration with the state and neighborhood stakeholders, the City published the final Vacuum Oil Brownfield Opportunity Area (BOA) recommendations in 2019. A key component of the BOA is a Preferred Parks, Open Space, and Public Waterfront Concept Master Plan.

The Vacuum Oil BOA River Trail project will be one of the initial key public improvements projects to implement the BOA Master Plan recommendations. The project will include the design of a new neighborhood trail connector between the Genesee Riverway Trail at Violetta Street and Plymouth Avenue.

Bergmann was the prime consultant for all phases of the BOA process. Bergmann was selected for design services based on its extensive experience with the project area, the BOA recommendations and requirements, and the state agencies and neighborhood stakeholders. A No RFP Justification form is attached.

Design phase will begin in spring 2020 with anticipated completion in spring 2021. The agreement shall have a term of six (6) months after acceptance of the design documents. The project will result in the creation and/or retention of the equivalent of 1.1 full-time jobs.

Respectfully submitted,
Lovely Warren
Mayor

Attachment No. AT-74

Ordinance No. 2020-111
(Int. No. 137)

Authorizing an agreement for the Vacuum Oil Brownfield Opportunity Area River Trail

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. 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 from 2018-19 Cash Capital. The term of the agreement shall continue until six months after acceptance of the design documents.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes-President Scott, Councilmember Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson -8.

Nays – Councilmember Peo – 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-112
Re: Grant Acceptance and Appropriation – Rochester Gas & Electric, David F. Gantt R-Center Generator

Council Priority: Creating & Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation to authorize the receipt and use of \$50,000 in awarded funding from Rochester Gas & Electric (RG&E) for a full redundancy natural gas generator at the David F. Gantt R-Center.

Funding is being provided by RGE as a part their public / private partnership with the City and the American Red Cross to improve and strengthen community resources during extreme weather events. The David F. Gantt R-Center serves as a warming and cooling station and shelter that is an integral part of the City’s overall plan for resiliency and redundancy during these events. The construction cost of the project is \$239,000 including the awarded funding from RG&E appropriated herein.

The project was designed by Stantec Consulting Services, Inc., (James R. Hofmann, Jr., Principal, 61 Commercial Street, Suite 100, Rochester, NY) and the contractor is Invictus Electrical, LLC, (Christine Hand Dertinger, President, 1939 Bennett Road, Victor, NY).

Project construction is underway and anticipated to be complete by early spring 2020. The grant funding will result in the creation and/or retention of the equivalent of 0.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-112
(Int. No. 138)

Authorizing a grant agreement and appropriation for the David F. Gantt R-Center

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 Rochester Gas and Electric Corporation (RG&E) for the receipt and use of RG&E funds in the amount of \$50,000 for a full redundancy natural gas generator at the David F. Gantt R-Center, which is hereby appropriated therefor.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-113
Re: Rochester Gas & Electric Corporation, and Amendatory Agreement – LaBella Associates, D.P.C., Rundel Library Structural Terrace Improvements Phase IV Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Rundel Library Structural Terrace Improvements Phase IV project. This legislation will:

1. Authorize the receipt and use of \$178,027 in awarded funding from the Rochester Gas & Electric Corporation (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program for electrical infrastructure improvements and lighting installations, including \$20,000 for development of pre-construction drawings.
2. Establish \$20,000 as a maximum compensation for an amendatory agreement with LaBella Associates, D.P.C. (Steve Metzger, CEO, 300 State Street, Suite 201, Rochester, New York) for additional engineering, design and project administration services for the electrical infrastructure improvements and lighting installations for the project.

The original agreement with LaBella Associates, D.P.C. for engineering, planning and landscape architectural services was authorized in October 2016 (Ordinance No. 2016-343) for a maximum compensation of \$750,000. An amendatory agreement increasing the maximum compensation by \$550,000 to a total amount of \$1,300,000 was authorized in September 2018 (Ordinance No. 2018-300). This amendatory amendment will increase the compensation by \$20,000, to a maximum total of \$1,320,000. The amended agreement shall extend until three (3) months after completion of a two-year guarantee inspection of the project. The cost will be funded as follows:

Source:	
Debt (Ordinance No. 2016-344)	\$1,300,000
RG&E funding award (authorized herewith)	<u>\$ 20,000</u>
TOTAL	\$1,320,000

The project includes installation of LED street lighting, LED accent lighting in the terrace, a public art installation with LED lighted gateway and illuminated runnel as part of the reconstruction of the Rundel Library north terrace and east sidewalk. The overall project will create a more vibrant north terrace that celebrates the library and the history of the Erie Canal and aqueduct, improve visibility and public access to the riverfront and provide enhanced outdoor public space for gathering and library programming. Amenities will include an ADA accessible river theater and tiered seating overlooking the Genesee River, landscape architectural features, terrace lighting, and a public art installation.

Project construction is underway with anticipated completion in fall 2021. The grant funding will result in the creation and/or retention of the equivalent of 2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-75

Ordinance No. 2020-113
(Int. No. 139)

Authorizing receipt of a grant and an amendatory agreement for the Rundel Library Structural Terrace Improvements Phase IV Project

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

Section 1. The Council hereby authorizes the receipt and use of \$178,027 in grant funding from the Rochester Gas and Electric Corporation (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program for electrical infrastructure improvements and lighting installations for the Rundel Library Structural Terrace Improvements Phase IV Project (the Project), which amount is hereby appropriated therefor.

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with LaBella Associates, D.P.C. for additional engineering, design and project administration services for the Project. The amendment shall increase the maximum compensation of the existing agreement, which was authorized by Ordinance No. 2016-343 and amended by Ordinance No. 2018-300, by \$20,000 to a total amount of \$1,320,000. The amendatory compensation amount shall be funded from the grant funds authorized in Section 1 herein.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo- 8.

Nays – None-0.

Councilmember Gruber abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1764
Re: Local Improvement Ordinance –Street Lighting Enhancement Special Assessment Districts

Council Priority: Public Safety & Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing the 2020-21 budgets for Street Lighting Enhancement Special Assessment Districts. The districts and assessments are as follows:

Local Imp. Ord.	District	2020-21	2019-20	Variance	Capital/Operating	Type
1547	Wilson Boulevard	\$555.63	\$563.41	\$(7.78)	Operating	Street lighting
1413	Monroe I	\$1,213.41	\$1,265.73	\$(52.32)	Operating	Street lighting
1412	Monroe II	\$620.14	\$627.62	\$(7.48)	Operating	Street lighting
1429	Cascade Historic	\$1,557.38	\$1,562.58	\$(5.20)	Operating	Street lighting
1601	Norton Street URD	\$1,363.84	\$1,377.07	\$(13.23)	Operating	Street lighting
1472	Lake Avenue	\$4,022.56	\$4,068.34	\$(45.78)	Operating	Street lighting
1552	St. Paul Street	\$521.99	\$528.76	\$(6.77)	Operating	Street lighting
1627	East Main Street	\$320.90	\$325.18	\$(4.28)	Operating	Street lighting
1658	Browncroft Neighborhood	\$9,508.99	\$9,508.99	\$-0-	Capital	Street lighting
1677	Cobbs Hill/Nunda Neighborhood	\$8,449.38	\$8,449.38	\$-0-	Capital	Street lighting

The history and purpose of each district are described in the attached summary.

A public hearing on renewing the East Main Street district and the assessments for all the districts is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-76

Local Improvement Ordinance No. 1764
(Int. No. 140)

Local Improvement Ordinance - establishing the operation, installation and maintenance costs of street lighting special assessment districts

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the applicable local improvement ordinances (LOCAL IMPROVEMENT ORDINANCES) for the operation, installation and maintenance of special assessment districts for street lighting enhancements during the 2020-21 fiscal year:

District	2020-21 Budget	LIO No.	Renewed LIO No.
Wilson Boulevard	\$ 555.63	1547	1724
Monroe I	\$1,213.41	1413	1672
Monroe II	\$ 620.14	1412	1671
Cascade Historic	\$1,557.38	1429	1727
Norton Street URD	\$1,363.84	1601	1753
Lake Avenue	\$4,022.56	1472	1697
St. Paul Street	\$ 521.99	1552	1696
East Main Street	\$ 320.90	1627	NA
Browncroft Neighborhood	\$9,508.99	1658	NA
Cobbs Hill/Nunda Neighborhood	\$8,449.38	1677	NA

Section 2. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-114
Re: Agreement – ROC the Riverway – CSX Transportation, Inc., Design Services, St. Paul Underpass Improvements

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the St. Paul Street Underpass Improvement project. The proposed project is part of the ROC the Riverway initiative to enhance High Falls Terrace Park and the surrounding area. This legislation will establish \$25,000 as total maximum compensation for an agreement with CSX Transportation, Inc., (Jacksonville, Florida) for engineering design services. The cost of the agreement will be funded from 2017-18 Cash Capital.

The agreement with CSX is required to provide for engineering design services for underpass improvements for the bridge which carries CSX Trans/Amtrak over St. Paul Street. The project will provide more welcoming connection through wayfinding signage, lighting, bicycle/pedestrian enhancements, and other cosmetic improvements to the underpass. The term of the agreement will extend until two (2) years after project completion.

Construction is anticipated to begin in the spring of 2021 and be substantially complete in fall 2021. The agreement will result in the creation and/or retention of the equivalent of 0.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-77

Ordinance No. 2020-114
(Int. No. 141)

Authorizing an engineering design services agreement for the St. Paul Street Underpass Improvement Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with CSX Transportation, Inc. to provide engineering design services for the St. Paul Street Underpass Improvement Project. The maximum total compensation for the agreement shall

be \$25,000 and said amount, or so much thereof as may be necessary, shall be funded from 2017-18 Cash Capital. The term of the agreement shall extend until 2 years after project completion.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-115
Re: Amending Ordinance No. 2020-74 Magee Avenue / Raines Park Improvement Project

Transmitted herewith for your approval is legislation Amending Ordinance No. 2020-74 which authorized the Mayor to enter into a professional services agreement with Bergmann Associates Engineering & Architecture, PLLC. This amendment will correct the consultant name in the Ordinance to match the consultant named in the original transmittal.

The correct consultant is Passero Associates Engineering & Architecture, PLLC, selected for resident project representation (RPR) services through the Request for Proposal process.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-115
(Int. No. 148)

Amending Ordinance No. 2020-74 relating to the Magee Avenue/Raines Park Improvement Project

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

Section 1. Section 2 of Ordinance No. 2020-74 is hereby amended to read in its entirety as follows:

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with ~~Bergmann Associates Engineering & Architecture, PLLC~~ Passero Associates Engineering & Architecture, PLLC in the maximum amount of \$250,000 to provide resident project representation services for the Project. Said amount shall be funded in the amounts of \$120,000 in street work bonds issued for the Project in a concurrent ordinance, \$70,000 in water service bonds issued for the Project in a concurrent ordinance, \$50,000 of 2016-17 Cash Capital, and \$10,000 of 2017-18 Cash Capital. The term of the agreement shall extend until three months after completion of the Project's two-year guarantee inspection.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1765
Re: Care and Embellishment of Street Malls

Council Priority: Public Safety & Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the care and embellishment of street malls during 2020-21 and the assessment of the associated costs of \$34,157.00 among the benefitted properties.

Each street mall budget is prepared by a street mall association and is based on actual costs from the previous year and planned maintenance and improvements. Budget items may include: plants (ranging from annual flowering plants to trees and shrubs), mulch, water, grass seed, repair or replacement of decorative signage and spring and fall cleanup. Budgets are reviewed at a neighborhood meeting. Meeting notices are sent by the City to the owners of all affected properties.

The malls and associated budgets are summarized below:

Street Mall	Budget 2020-2021	LIO 1754 2019-20	Variance	Reason for Variance
Arnold Park	3,960.00	2,800.00	1,160.00	Increasing funding to hire landscape maintenance.
Hazelwood Terrace	600.00	400.00	200	Budgeted amount is the same, surplus used last year.
Hillside Avenue	6,000.00	6,000.00	0	Budgeted amounts are the same.
Huntington Park	4,000.00	3,600.00	400.00	Purchased tools for landscape pruning and trimming.
Lafayette Park	3,200.00	3,182.00	18.00	Budgeted amounts are the same. Small increase for extra help.
Nunda Boulevard	5,635.00	7,195.00	-1,560.00	Using funds from prior years. <i>Note:</i> performs own mowing, trimming, tree care.
Oxford Street	8,437.00	9,429.00	-992.00	Budgeted amounts are the same. Using funds from prior year. <i>Note:</i> performs own mowing, trimming, tree care, leaf pickup.
Sibley Place	2,325.00	2,405.00	-75.00	Budgeted amounts are the same. Used surplus last year.

The Department of Environmental Services – Bureau of Operations provides mowing and trimming, tree pruning and leaf pickup unless otherwise noted (see Nunda and Oxford).

The costs of the maintenance are apportioned among the benefitted properties on the basis of the specified unit charges for each area. Charges are included on the annual tax bill and are payable in July. Funds are appropriated in the Care & Embellishment Fund.

A public hearing on these assessments is required.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Local Improvement Ordinance No. 1765
 (Int. No. 149)

Local Improvement Ordinance – care and embellishment of street malls for 2020-21

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

Section 1. It is hereby determined that for the fiscal year 2020-21 the street malls on the following streets shall be maintained at least in accordance with minimal standards established by the Department of Environmental Services, in the following amounts:

Street Mall	Budget 2020-21
Arnold Park	\$ 3,960.00
Hazelwood Terrace	600.00
Hillside Avenue	6,000.00
Huntington Park	4,000.00
Lafayette Park	3,200.00
Nunda Boulevard	5,635.00
Oxford Street	8,437.00
Sibley Place	2,325.00
Total	\$34,157.00

Section 2. The district of assessment for each street mall shall consist of all the parcels of property that front on the mall, or on any extension of the street or streets containing the mall up to the next intersecting street. The cost of maintenance of each street mall, in the amount set forth in Section 1, shall be apportioned among the parcels in the district based on each parcel's footage along the street containing the mall.

Section 3. Assessments for the cost of such improvements and work shall be due in one payment and shall be added to the tax rolls for the fiscal year commencing July 1, 2020.

Section 4. The total cost of such improvements and work, estimated at \$34,157, shall be charged as heretofore described in this ordinance and paid from the Care & Embellishment Fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for the aforesaid purpose.

Section 5. It is hereby determined that it is impracticable to have the work described herein done by competitive contract. Therefore, contracts for the work described herein may be awarded to such qualified persons or neighborhood associations as may be selected from those located in or adjacent to the aforementioned streets and areas.

Section 6. This ordinance shall take effect July 1, 2020.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1766
Local Improvement Ordinance No. 1767
Re: Local Improvement Ordinance – Streetscapes

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the care and embellishment of streetscapes during 2020-21 and the assessment of the associated costs of \$40,815.00 among the benefitted properties.

The associated budgets are summarized below:

LIO	Streetscape District	2020-21	2015-165	Variance	Type
1430	Cascade Historic	\$8,000	\$8,000	0	Capital and Operating
1619	Norton Street Urban Renewal District	\$2,815	\$2,815	0	Capital and Operating
1652	Mt. Hope	\$30,000	\$30,000	0	Capital and Operating

A public hearing on the assessments for all the districts is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1766
(Int. No. 150)

Continuation of Local Improvement Ordinance No. 1619 Relating to the Norton Street Urban Renewal District Streetscape District

WHEREAS, by Local Improvement Ordinance No. 1421, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the Norton Street Urban Renewal District Streetscape District (the District);

WHEREAS, by Local Improvement Ordinance No. 1619, the City re-enacted and extended the operation of the District for an additional period extending through June 30, 2020; and

WHEREAS, the Council desires to continue the operation of the District for an additional period of ten years.

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

Section 1. Local Improvement Ordinance No. 1619, relating to the levying of local improvement assessments to fund the cost of special work and services related to the Norton Street Urban Renewal District Streetscape District, is hereby re-enacted for an additional period of ten years, commencing on July 1, 2020 and extending through June 30, 2030.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1767
(Int. No. 151)

Local Improvement Ordinance - establishing the operating and maintenance costs of special assessments for streetscape enhancements

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the applicable local improvement ordinances for the operation and maintenance of special assessment districts for streetscape enhancements during 2020-21:

Streetscape District	2020-21 Budget	LIO
Cascade Historic District	\$8,000	1430
Norton Street Urban Renewal District	\$2,815	1619
Mt. Hope	\$30,000	1652

Section 2. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1768
Re: Local Improvement Ordinance – Downtown Enhancement District, 2020-21 Budget

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation approving the 2020-21 Budget of the Downtown Enhancement District (District) and authorizing the apportionment of the budget costs among the properties within the District.

The District, established in 1989, enters its 31st year of providing an enhanced level of care and maintenance in the downtown area and plays a key role in the vitality of Downtown Rochester. These services may include sidewalk cleaning, sweeping, snow removal and litter removal, as well as installation, repair and maintenance of improvements such as benches, planters and street lighting.

The District includes all properties within the area between Church Street, Bragdon Place and Pleasant Street on the north, Chestnut Street on the east, Broad Street on the south, and Plymouth Avenue on the west; and all other properties within 1,600 feet of Main Street that were included in the original enclosed walkway system. The Downtown Enhancement District Advisory Board, consisting of 11 representatives of property owners or tenants, oversees the administration of the program by City staff.

Unless otherwise approved by the Advisory Board, the annual costs to be assessed are restricted by a formula using the base year (1989-90) cost of \$400,000 adjusted by the cumulative increase in the consumer price index (CPI). The total cost is apportioned among the properties, based equally on assessed valuation and gross area of each property. Also, properties directly on Main Street are weighted at twice the factors of other properties.

The maximum permissible assessment for 2020-21 based upon the 31st year cumulative increase in the CPI (102.4%) is \$844,400. The recommended assessment is \$660,500, an increase of 13,600 (2.10%). The Advisory Board agreed to use the fund balance of \$55,000 to partially offset employee benefits.

Category of Expense	2019-20	2020-21	Variance
Personnel Total	675,100	685,600	10,500
Salary and wages	460,000	467,800	7,800
Employee Benefits	215,100	218,000	2,900
Operational Expenses	81,400	84,900	3,500
Materials and supplies	65,300	66,400	1,100
Contractual Services	16,100	18,500	2,400
Contingency (wage increase)	0	0	0
Less: Operating Revenues	-55,000	-55,000	0
Less: Offset Tax Delinquency	-7,700	<u>-0</u>	0
Net Expense	693,800	715,500	21,700
Less: Use of Fund Balance	<u>-46,900</u>	<u>-55,000</u>	<u>8,100</u>
Required Assessment	646,900	660,500	13,600

The proposed budget was approved by the Downtown Enhancement District Advisory Board on March 17, 2020 by a unanimous vote of 6 - 0.

A public hearing on the District assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1768
(Int. No. 152)

Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District

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

Section 1. The cost of the special work and services for the 2020-21 fiscal year for the Downtown Enhancement District to be allocated and levied in accordance with Local Improvement Ordinance No. 1291, as continued by Local Improvement Ordinances No. 1355, 1444, 1531, 1597, 1686, 1705, 1715, 1730, 1744 and 1756, is established at \$660,500. Said amount, plus the sum of \$55,000 from the District’s fund balance, or so much thereof as may be necessary, are hereby appropriated to fund the Downtown Enhancement District for the 2020-21 fiscal year.

Section 2. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

By Vice-President Lightfoot
April 14, 2020

To the Council:

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

- Int. No. 142 Amending Chapter 108 of the Municipal Code relating to the training of taxicab drivers
- Int. No. 143 Authorizing acceptance of the Petco Foundation grant for Animal Services
- Int. No. 144 Authorizing the receipt and use of United States Department of Justice funds to investigate organized narcotics trafficking and violence
- Int. No. 145 Authorizing agreements and funding for an animal population control program
- Int. No. 147 Authorizing funding agreements and amending the budget related to the ROC City Skate Park

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

- Int. No. 146 Local Improvement Ordinance – security and snow removal services at the Public Market for 2020-21

Respectfully submitted,
Willie J. Lightfoot
Mitch Gruber
LaShay D. Harris
Jacklyn Ortiz
Loretta C. Scott
PUBLIC SAFETY YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-116
Re: Code Amendment- Section 108, Taxicabs

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending Section 108, 17D of the City of Rochester Municipal Code regarding Taxicab, license required. This Section is amended as follows:

To be eligible for a taxicab driver's license, or the renewal thereof, a person shall have completed, within one year prior to the date upon which the license is to be valid, a two-hour taxicab driver training session offered by the City without cost. To be eligible for a taxicab driver's license renewal, a person shall have completed, within two years prior to the date upon which the license is to be renewed, a two-hour taxicab driver training session offered by the City without cost. If the driver has not completed the training session prior to the date upon which the license is to be valid, a conditional license may be issued to the driver, which license shall automatically expire upon the 90th day after it is valid if the driver has not completed the training session within that time period. The training sessions shall be offered by the City on a quarterly basis ~~beginning in April 2014~~. The training sessions shall provide information on matters such as hospitality and customer service skills; appearance and hygiene; Rochester geography, highlights and sights; safety and how to get help in emergency situations; rules of the road; Chapter 108 of the Municipal Code, Taxicabs; and the most frequently asked taxicab questions.

Strikeout indicates deleted text; new text is underlined.

These changes will go into effect on May 1, 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-116
(Int. No. 142)

Amending Chapter 108 of the Municipal Code relating to the training of taxicab drivers

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

Section 1. Chapter 108 of the Municipal Code, Taxicabs, as amended, is hereby further amended in Article III, Taxicab Driver's License, Section 118-17, License required, and subsection D thereof as follows:

To be eligible for a taxicab driver's license, ~~or the renewal thereof~~, a person shall have completed, within one year prior to the date upon which the license is to be valid, a two-hour taxicab driver training session offered by the City without cost. To be eligible for a taxicab driver's license renewal, a person shall have completed, within two years prior to the date upon which the license is to be renewed, a two-hour taxicab driver training session offered by the City without cost. If the driver has not completed the training session prior to the date upon which the license is to be valid, a conditional license may be issued to the driver, which license shall automatically expire upon the 90th day after it is valid if the driver has not completed the training session within that time period. The training sessions shall be offered by the City on a quarterly basis ~~beginning in April 2014~~. The training sessions shall provide information on matters such as hospitality and customer service skills; appearance and hygiene; Rochester geography, highlights and sights; safety and how to get help in emergency situations; rules of the road; Chapter 108 of the Municipal Code, Taxicabs; and the most frequently asked taxicab questions.

Section 2. This ordinance shall take effect on May 1, 2020.

Strikeout indicates deleted text; new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-117
Re: Agreement – The Petco Foundation, Animal Services Grant

Transmitted herewith for your approval is legislation authorizing an agreement with The Petco Foundation for the receipt and use of a grant in the amount of \$10,000, and amending the 2019-20 Budget of the Police Department by this amount. The term of this agreement is for a period of one year.

The funding from this grant will be used for fee-waived adoption events, which will promote adoption of shelter pets.

This is the sixth time we have received this grant.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-117
(Int. No. 143)

Authorizing acceptance of The Petco Foundation grant for Animal 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 agreement with The Petco Foundation for the receipt and use of a grant in the amount of \$10,000 to promote the adoption of shelter pets. The term of the agreement shall be for one year.

Section 2. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$10,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-118
Re: Receipt and Use of Funds from United States Department of Justice

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation for the receipt and use of \$15,000 from the United States Department of Justice, United States Attorney, Organized Crime Drug Enforcement Task Force, and amending the 2019-20 Budget of the Police Department by this amount.

The United States Department of Justice is providing \$15,000 as part of a joint investigation targeting an organization involved in trafficking narcotics and violence in the City of Rochester. These funds do not include fringe benefits, which are estimated to be \$4,769.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-118
(Int. No. 144)

Authorizing the receipt and use of United States Department of Justice funds to investigate organized narcotics trafficking and violence

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 Justice for the receipt and use of \$15,000 for the Police Department to participate in a joint investigation targeting narcotics trafficking and violence in the City of Rochester.

Section 2. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by the sum of \$15,000, which amount is hereby appropriated from the Department of Justice funds authorized in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-119
Re: Agreement - American Society for the Prevention of Cruelty to Animals - Animal Population Control Program (APCP) grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to an American Society for the Prevention of Cruelty to Animals (ASPCA), Animal Population Control Program (APCP) grant. This legislation will:

1. Authorize an agreement with ASPCA for the receipt and use of an APCP grant in the amount of \$63,000 for the term of March 5, 2020 through March 5, 2021, with the option to extend if funding is not fully expended and with approval from grantor;
2. Amend the 2019-20 Budget of the Police Department by \$63,000 to reflect the addition of this grant;
3. Establish \$63,000 as maximum compensation for an agreement with Animal Hospital of Pittsford, P.C. (Principal: Todd Wihlen), 2816 Monroe Avenue, Rochester, 14618, to provide spay/neuter services for Rochester Animal Services. The term of the agreement will be March 5, 2020 through March 5, 2021, with the option to extend if funding is not fully expended and with approval from grantor.

ASPCA is providing this APCP grant to enable the City to remove financial barriers for spay/neuter services for pets of residents in underserved neighborhoods. These funds will pay for spay/neuter services provided via vouchers, which will be provided to qualifying residents for redemption at Animal Hospital of Pittsford, P.C./Rochester Community Animal Clinic. Funds will pay for approximately 550 spay/neuter services with residents providing a co-pay of \$1 per service.

A justification for not issuing an RFP is attached. This is the sixth time Rochester Animal Services has received a grant from ASPCA.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-78

Ordinance No. 2020-119
(Int. No. 145)

Authorizing agreements and funding for an animal population control program

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

Section 1. The Mayor is hereby authorized to enter into a grant agreement with The American Society for the Prevention of Cruelty to Animals for the receipt and use of \$63,000 to fund no-cost spay/neuter vouchers for the pets of qualifying residents (the Program). The agreement shall have a term of one year, with an option to extend for up to one additional year if funds remain in the original grant and contingent upon the grantor's approval.

Section 2. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by \$63,000 to reflect the receipt of the grant funds authorized herein, which funds are hereby appropriated to implement the Program.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Animal Hospital of Pittsford, P.C. to provide spay and neuter services for pets of those who have received Program vouchers. The agreement shall have a term of one year, with an option to extend for up to one additional year if funds remain in the original grant authorized herein and contingent upon the grantor's approval. The sum of \$63,000, or so much thereof as may be necessary, is hereby established as the maximum compensation for the agreement. Said amount shall be funded from the 2019-20 Budget of the Police Department.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1769
Re: Public Market Snow Removal and Security Services

Council Priority: Creating and Sustaining a Culture of Vibrancy; Public Safety

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation authorizing the appropriations and assessments for snow removal and security services at the Public Market for 2020-21. The snow removal and security districts were established in 1990 and 1991, respectively, and include 15 properties adjacent to the Public Market.

The City provides special snow removal services, including plowing and salting, as necessary. The security services include foot patrols from 5:00 pm to 5:00 am, Monday through Saturday, and all day on Sunday. Part of the cost of these services is apportioned among the properties within the district. For each property, these assessments include both a fixed fee and a fee per frontage foot.

Snow Removal: For 2020-21 snow removal services, the fixed fee will be \$100 per property, while the footage fee will be \$3.25 per foot. The total amount of the assessment will be \$6,237.95

Security Services: For 2020-21 security services, the fixed fee will be \$1,190 per property, while the front footage fee will be \$17.80 per foot. The total amount of the assessment will be \$43,799.37.

<i>Snow</i>	Fixed Fee	# Properties	Subtotal	Footage Fee	Footage	Subtotal	Total
2019-20	\$100	15	\$1,500.00	\$3.01	1,457.83	\$4,388.07	\$5,888.07
2020-21	\$100	15	\$1,500.00	\$3.25	1,457.83	\$4,737.95	\$6,237.95
						Change	\$349.88

<i>Security</i>	Fixed Fee	# Properties	Subtotal	Footage Fee	Footage	Subtotal	Total
2019-20	\$1,190	15	\$17,850.00	\$17.80	1,457.83	\$25,949.37	\$43,799.37
2020-21	\$1,190	15	\$17,850.00	\$17.80	1,457.83	\$25,949.37	\$43,799.37
						Change	\$0

Public hearings are required for these assessments.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1769
(Int. No. 146)

Local Improvement Ordinance – security and snow removal services at the Public Market for 2020-21

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

Section 1. The Council hereby authorizes special security services for the Public Market during the fiscal year from July 1, 2020 to June 30, 2021. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council hereby directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market that are listed in Local Improvement Ordinance No. 1733, which properties shall constitute the district of assessment. The assessments shall be allocated in the manner described below. The total amount to be assessed for the 2020-21 year shall be \$43,799.37. The amount to be assessed against each parcel shall include a fee of \$1,190 per parcel plus \$17.80 per foot of frontage. The frontage assessed upon may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services.

Section 2. The Council hereby authorizes special snow plowing and salting services for the Public Market during the fiscal year from July 1, 2020 to June 30, 2021. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council hereby directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market that are listed in Local Improvement Ordinance No. 1732, which properties shall constitute the district of assessment. The assessments shall be allocated in the manner described below. The total amount to be assessed for the 2020-21 year shall be \$6,237.95. The amount to be assessed against each parcel shall include a fee of \$100 per parcel plus \$3.25 per foot of frontage that receives plowing and/or salting services. The frontage assessed upon may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services.

Section 3. The security, snow plowing, and salting services authorized herein shall be provided by competitive contracts. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2020 and shall be due in one installment.

Section 5. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-120
Re: Grant Agreement and Donation – ROC City Skate Park

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 ROC City Skate Park project. This legislation will:

1. Authorize an agreement with the Rochester Downtown Development Corporation (Heidi Zimmer-Meyer, President, Rochester, NY) for the receipt and use of a \$110,000 grant award for the ROC City Skate Park project. This grant, given on behalf of the Sands Family Foundation, will fund a portion of the costs associated with the construction project. This is the first grant received from the RDDC in support of the ROC City Skate Park project.
2. Appropriate a \$35,000 donation from the Friends of the Roc City Skatepark, Inc. to fund a portion of the ROC City Skate Park project. This is the third donation received from the Friends of the Roc City Skatepark, Inc. in support of the ROC City Skate Park project. The City previously received donations totaling \$85,000 that were authorized by City Council Ordinance Nos. 2019-240 and 2020-48.
3. Amend the 2019-20 Cash Capital allocation of the Department of Recreation and Youth Services (DRYS) by \$145,000 to reflect the receipt of the grant and donation.

The ROC City Skate Park, a custom-concrete wheel-friendly skate park located under and adjacent to the Susan B Anthony/Frederick Douglass Bridge, will be the first outdoor, public skate park in Rochester. Construction of the Skate Park began in 2019 with scheduled completion in fall 2020. Please see attached master plan for the Skate Park.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-79

Ordinance No. 2020-120
(Int. No. 147)

Authorizing funding agreements and amending the budget related to the ROC City Skate Park

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 Rochester Downtown Development Corporation for the receipt and use of \$110,000 to fund a portion of the costs of the ROC City Skate Park, which funds are hereby appropriated for that purpose. The term of the agreement shall extend to completion of the construction of the Park. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. The Council hereby appropriates a \$35,000 donation from Friends of the Roc City Skatepark, Inc. to fund a portion of the costs of the ROC City Skate Park.

Section 3. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing Cash Capital by the sum of \$145,000 to reflect the receipt of the funds authorized in Sections 1 and 2 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:14 p.m.

HAZEL L. WASHINGTON
City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

May 12, 2020

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

Present –President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo – 9.

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

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

Retirement:

DES:

- *John Caraballo
- *Barr Miesch

DHRM:

- *Choyce Bush

NBD:

- *Lawrence Fedick

RFD:

- *Daniel Caufield
- *Ricardo Cortez
- *James Hydock
- *Joseph O’Gorman
- *Jerry Randise

RPD:

- *Lloyd Cuyler
- *Kevin Riley
- *Thomas Rodriguez
- *Walter Sanders
- *Mark E. Simmons
- *Brett Sobieraski

**Not attending meeting*

APPROVAL OF THE MINUTES

By Vice President Lightfoot

RESOLVED, that the minutes of the Regular Meeting on April 14, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

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

The Mayor submits the following:

- Quarterly Report NBD Grants Report – March 31, 2020
- Quarterly Report PSA costs of less than \$10,000 – March 31, 2020

The Council submits Disclosure of Interest Form from Councilmember Harris on Int. No. 175.

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

None Presented

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on May 7, 2020 on the following matters:

Continuation of Local Improvement Ordinance No. 1289 relating to the Monroe Avenue/Oxford Square Commercial Parking Lot
 Int. No. 157
 No Speakers

Continuation of Local Improvement Ordinance No. 1258 relating to the North Street Commercial Parking Lot Int. No. 158
 No Speakers

Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas
 Int. No. 159
 No Speakers

Amending the Consolidated Community Development Plan/2019-20 Annual Action Plan to fund and implement programs to prevent, prepare for, and respond to difficulties arising out of the coronavirus pandemic Int. No. 177
 22 Speakers

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

TO THE COUNCIL
Ladies and Gentlemen:

- Ordinance No. 2020-121
- Ordinance No. 2020-122

Re: Tax Apportionment Assessment Classes – Tax Shift

Council Priority: Deficit Reduction and Long Tern Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation certifying certain calculations related to the apportionment of property taxes between the homestead and non-homestead assessment classifications. Such certification is required by Article 19 of the New York State Real Property Tax Law.

The certification involves the determination of the “base proportion.” In general, the base proportion for each class represents the share of the property tax levy to be allocated to that class. This determination involves two computations. The first is the calculation of the current base proportions using 1989 and 2019 data. The second is the calculation of the adjusted base proportions using 2019 and 2020 data. Both calculations are attached.

The current base proportions, as calculated by the formula specified by Article 19, are as follows:

Homestead:	.4280889
Non-Homestead:	<u>.5719111</u>
Total:	1.0000000

In comparison, the new adjusted base proportions are as follows:

Homestead:	.4250944
Non-Homestead:	<u>.5749056</u>
Total:	1.0000000

The new proportions result in the following shifts in the share of the tax levy allocated to each class:

Homestead:	+2.71%
Non-Homestead:	-1.91%

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-80

Ordinance No. 2020-121
 (Int. No. 187)

Determining and certifying base proportions, current percentages, and base percentages for the 2020 Assessment Roll

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the current base proportions, current percentages, and base percentages for the City’s 2020 assessment roll to be as follows:

	<i>Homestead Class</i>	<i>Non-Homestead Class</i>
Current base proportions	42.80889%	57.19111%
Current percentage	61.22380%	38.77620%
Base percentage	52.03550%	47.96450%

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the New York State Department of Taxation and Finance, Office of Real Property Tax Services.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No, 2020-122
 (Int. No. 188)

Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for the 2020 Assessment Roll

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the adjusted base proportions, assessed value, and net change in assessed value for the City’s 2020 assessment roll to be as follows:

	<u>Homestead Class</u>	<u>Non-Homestead Class</u>
Adjusted base proportion	.4250944	.5749056
Taxable assessed value	4,537,747,916	3,010,384,520
Net change in assessed value from 2019 resulting from physical and quantity changes	+2,833,400	+26,475,400
Net change in assessed value from 2019 resulting from other than physical and quantity changes	+745,373,666	+333,159,822

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the New York State Department of Taxation and Finance, Office of Real Property Tax Services.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Evans
May 12, 2020

To the Council:

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

- Int. No. 153 Approving the apportionment of taxes and charges
- Int. No. 154 Authorizing an amendatory agreement relating to a Cloud-Based Financial Data Management and Reporting Solution, **as amended**
- Int. No. 155 Authorizing a master license agreement with Greenlight Networks, LLC
- Int. No. 156 Resolution endorsing Five Star Bank’s application to establish a Banking Development District
- Int. No. 160 Amending City policy related to pre-employment drug testing
- Int. No. 161 Authorizing a master license agreement with Crown Castle Fiber LLC
- Int. No. 176 Amending the Budget and authorizing an agreement for the provision of public access television

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

- Int. No. 157 Continuation of Local Improvement Ordinance No. 1289 relating to the Monroe Avenue/Oxford Square Commercial Parking Lot

- Int. No. 158 Continuation of Local Improvement Ordinance No. 1258 relating to the North Street Commercial Parking Lot
- Int. No. 159 Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas

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

Received, filed and published.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2020-123
 Re: Apportionment of Taxes and Charges

City Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing the apportionment of taxes and charges for 75 properties. This apportionment has been certified by the Assessor and is authorized by §6-78 of the City Charter.

The apportionment consists of City and School taxes and special district charges on properties subdivided or combined in 2019-2020. These taxes and charges, which total \$145,586.57, will be added to the new accounts established by the subdivisions or combinations of the former accounts.

If the proposed apportionment is approved, the taxes and charges will be added to the July 2020 tax bills of the new accounts. Owners of the subdivided or combined properties will be notified in writing of the potential charges in May 2020.

A copy of the property list is on file with the City Clerk.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2020-123
 (Int. No. 153)

Approving the apportionment of taxes and charges

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

Section 1. The Council hereby approves the apportionment of taxes and charges upon various parcels of land as certified by the Assessor of the City of Rochester on April 14, 2020, pursuant to Section 6-78 of the Charter of the City of Rochester, in accordance with the list which is available in the Office of the City Clerk.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2020-124
 Re: Amend - Comprehensive Annual Financial Report (CAFR) Cloud-Based Financial Data Management and Reporting Solution

City Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation relating to the Cloud-Based Financial Data Management and Reporting Solution system for preparing the City of Rochester's Comprehensive Annual Financial Report (CAFR).

This legislation will Authorize an additional \$12,000 to cover a funding shortfall for FY ~~20-21~~, FY 19-20 year 5, of this agreement, establishing \$140,000 as the maximum compensation for the agreement with Workiva, Inc.

The set up cost of \$8,000 for this agreement was funded from the 2015-16 Operating Budget for the Department of Finance. Subsequent licensing costs of \$24,000 per year were also funded from the annual Operating Budget of the Department of Finance. Services include, but are not limited to, the following:

- Multiple user capability with various levels of controls
- The capability to edit, create and submit reports internally and externally
- Automated ability to link, tie (increment/decrement) and round numbers between related financial statements
- Ability to manage and import financial data several times throughout the process
- Ability to link financial data to a single source document so that information is always upto-date and consistent between documents
- Presence of a clear audit trail
- Implement changes in reporting requirements, particularly changes to reporting under the Governmental Accounting Standards Board (GASB).

A copy of the analysis is on file with the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-81

Ordinance No. 2020-124
(Int. No. 154, as amended)

Authorizing an amendatory agreement relating to a Cloud-Based Financial Data Management and Reporting Solution

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 Workiva Inc. to continue to provide a Cloud-Based Financial Data Management and Reporting Solution for preparing the City's Comprehensive Annual Financial Report. The amendatory agreement shall amend the professional services agreement authorized in Ordinance No. 2016-129 so as to increase the maximum license fee for the fifth year of the agreement by \$12,000 to a new total of \$36,000. The increase in compensation shall be funded from the ~~2019-20~~ 2020-21 Budget of the Department of Finance, contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text; new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-125
Re: Master License Agreement-Greenlight Networks, LLC

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing a master license agreement with Greenlight Networks, LLC, a telecommunications company that is installing a fiber based telecommunications network in the City right-of-way. Greenlight's network provides ultra-high speed internet and ethernet services to residents and small businesses in the City of Rochester. Greenlight

is a local company with headquarters located in the City of Rochester. Greenlight has been installing its fiber optic cable in the City for nearly six years, as well as in surrounding communities and they are now expanding into the Buffalo area.

The terms of the master license agreement will be consistent with the Chapter 106 Telecommunications in the Right-Of-Way Code of the City of Rochester, Ordinance No. 2019-34, adopted on February 29, 2019, which established the process and standards for master license agreements for telecommunications providers, including a term of ten years with two five-year renewals, a compensation schedule, requirements for insurance, security and other requirements set forth in Chapter 106 or in the Rules and Regulations for Work in the Right-of-Way which were adopted by the City Engineer pursuant to Chapter 106.

The size and extent of Greenlight's fiber network and the compensation to be paid to the City is not known at this time, because the facilities may be installed over a period of time and to an extent that will be dependent on Greenlight's customer needs. Nevertheless, all new fiber and other related facilities will be subject to individual permit review before installation and the compensation paid to the City will be determined by the amount of facilities in the right-of-way as set forth in Code section 106-15.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-125
(Int. No. 155)

Authorizing a master license agreement with Greenlight Networks, LLC

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

Section 1. The Mayor is hereby authorized to enter into a master license agreement with Greenlight Networks, LLC for the installation of telecommunications facilities and accessory equipment in the public right-of-way. The term of the master license agreement shall be ten years, with the option to extend for up to two additional five year renewal terms.

Section 2. The master license agreement shall be consistent with the provisions and requirements of Chapter 106 of the Municipal Code, Telecommunications in the Right-of-Way.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-23
Re: Five Star Bank Banking Development District Program Proposal

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation endorsing Five Star Bank's Banking Development District (BDD) Program proposal to the New York State Department of Financial Services. An endorsement from the City of Rochester is a requirement of submission for the application.

The BDD program was created in 1997 to encourage the establishment of bank branches in areas of New York State with demonstrated need for increased banking services, enhance access by consumers to banking services, and promote local economic development. Through the program, banks that receive a BDD designation receive below-market-rate deposits to be used to support increased activity within the district and lower the financial risk that a bank branch may incur when operating in a lower-income community.

Five Star Bank is proposing the creation of a BDD focused on their Downtown Rochester branch, located at Five Star Bank Plaza on Chestnut Street. A map of the proposed BDD is attached, and was reviewed with Five Star Bank staff during the April 16, 2020 City Council work session. If successful in their application, Five Star Bank has committed to significantly expanding and enhancing its ability to deliver banking and lending services in the BDD, and continuing its support of a variety of financial empowerment programs throughout the community.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-82

Resolution No. 2020-23
(Int. No. 156)

Resolution endorsing Five Star Bank’s application to establish a Banking Development District

WHEREAS, in 1997 the New York State Legislature enacted the Banking Development District (BDD) Program in order to encourage the establishment of bank branches in areas with a demonstrated need for banking services, to enhance access by consumers to banking services and to promote local economic development;

WHEREAS, a bank branch that is granted a BDD designation by the NYS Department of Financial Services becomes eligible to receive below market-rate deposits from the State of New York and other financial incentives in order to lower the financial risk that the branch may incur when operating in an underserved community, usually comprised of low- and moderate-income households;

WHEREAS, during the Program’s 23 years of operation approximately 50 BDD’s have been established throughout the State, but no BDD has been established in the Rochester area;

WHEREAS, Five Star Bank, a New York State chartered community bank, is proposing to designate a BDD in an area of the city of Rochester based out of their Downtown Chestnut Street branch;

WHEREAS, the City Council has been provided with a map that specifies the boundaries of the Bank’s proposed BDD area, which was selected through the analysis of geographic information system mapping, demographic, financial services availability, and bank location data;

WHEREAS, the proposed BDD aligns with the geographic borders and overall vision for the joint pilot district in which the City and the Rochester Monroe Anti-Poverty Initiative launch and evaluate new anti-poverty programs and initiatives, and would serve populations in need of increased access to mainstream financial services;

WHEREAS, if the State grants its BDD application, the Bank has committed to expand and enhance several banking and lending programs it already operates designed for underserved and underbanked populations, to continue its support of a variety of financial empowerment programs throughout the community, and to collaborate with the City of Rochester to identify opportunities to better serve the community with access to mainstream financial services and wealth-building opportunities; and

WHEREAS, the Program rules require the Bank’s BDD applications to include a resolution of endorsement by the City.

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

Section 1. The City Council does hereby approve and endorse the application of Five Star Bank for the designation of the above described Banking Development District within the City of Rochester and authorizes the Bank to provide this Resolution to the NYS Department of Financial Services and the Superintendent of Financial Services in support of the Bank’s application for the designation of the BDD.

Section 2. The City Council authorizes and encourages the Mayor to provide to the Bank and to the State agencies and officials any research, information, or other support from City officials and agencies that she deems appropriate for obtaining State approval of the Bank’s BDD application and for ensuring that the BDD functions in a manner that maximizes the economic development and opportunity purposes of the BDD Program.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

- Local Improvement Ordinance No. 1770
- Local Improvement Ordinance No. 1771
- Local Improvement Ordinance No. 1772

Re: Continuation of LIO No. 1289, Various Agreements and Assessments for Operation and Maintenance of Special District Parking Lots

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing the City to enter into one one-year agreements with various contractors for operation and maintenance of each of the special district assessment parking lots during 2020-21, authorizing special district assessments for the neighborhood commercial and residential parking lots appropriating \$62,465 for operation and maintenance of the parking areas during 2020-21, and the continuing for ten years the local improvement district authorizations relating to the Monroe Avenue/Oxford Square and North Street commercial parking lots.

Special Assessment District parking lots established by City Council in 1979 include: Culver/Merchants, Monroe Avenue/Oxford Square Lot, North Street, Lyell Avenue and Woodside/Goodwill. A sixth lot was created in 2011-12 for Mt. Hope in the College Town district. Annual operating and maintenance costs of the areas are assessed against all properties within the district according to their respective parking space requirements.

The assessments reflect the cost of snow plowing, cleaning, landscaping, maintenance, lighting and parking regulation enforcement. These services are provided either by City personnel, by private companies under contract to the City or by the property owners themselves, and it is impractical to go out to bid due to the direct involvement of each contractor to each respective lot. The total assessments required and total appropriation for 2020-2021 is:

Lot Name	20/21 Budget	19/20 Budget	Variance	Reason	Consultant/Contractor
Lyell Avenue	\$9,955.00	\$9,803.00	\$152.00	Increase in lot insurance rate	Quality Home Furnishings, LLC/ Thomas Sullivan
Monroe/Oxford	\$16,200.00	\$16,200.00	\$0.00	N/A	Thomas M. Adams Realty, LLC/ Thomas Adams
Woodside/Goodwill	\$14,850.00	\$14,925.00	-\$75.00	Decrease in RG&E	Woodside Goodwill Parking Lot LLC/ Dominic C. Zicari
Culver/Merchants	\$9,810.00	\$9,810.00	\$0.00	N/A	Culver Merchants Business Association, Inc./ Ann Page
North Street	\$12,650.00	\$11,700.00	\$950.00	Increase in Parking lot repairs (install two new signs)	Domicello Enterprises, LLC/ Phillip Domicello
Mt Hope	\$1,000.00	\$1,000.00	\$0.00	N/A	1400 Mt. Hope Ave LLC/ David L. Gandell
Sub-total	\$64,465.00	\$63,438.00	\$1,027.00		
Rollover Untaxed					
Monroe/Oxford	-\$2,000.00	\$0.00	-2,000.00	Prior years carry over (landscape work decreased)	
Total	\$62,465.00	\$63,438.00	-\$973.00		

A public hearing is required for these local improvements.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1770
(Int. No. 157)

Continuation of Local Improvement Ordinance No. 1289 relating to the Monroe Avenue/Oxford Square Commercial Parking Lot

WHEREAS, by Local Improvement Ordinance No. 1289, the City provided for the levying of local

improvement assessments to fund the cost of special work and services related to the Monroe Avenue/Oxford Square Commercial Parking Lot; and

WHEREAS, said Local Improvement Ordinance was extended for subsequent terms of ten years by each of Local Improvement Ordinance Nos. 1441 and 1604, and the Council desires to continue said Local Improvement Ordinance for an additional period of ten years.

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

Section 1. Local Improvement Ordinance No. 1289, relating to the levying of local improvement assessments to fund the cost of special work and services related to the Monroe Avenue/Oxford Square Commercial Parking Lot, as extended by Local Improvement Ordinance Nos. 1441 and 1604, is hereby reenacted for an additional period of ten years, commencing on July 1, 2019 and continuing through June 30, 2029.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1771
(Int. No. 158)

Continuation of Local Improvement Ordinance No. 1258 relating to the North Street Commercial Parking Lot

WHEREAS, by Local Improvement Ordinance No. 1258, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the North Street Commercial Parking Lot; and

WHEREAS, the Council desires to continue said Local Improvement Ordinance for an additional period of ten years.

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

Section 1. Local Improvement Ordinance No. 1258, relating to the levying of local improvement assessments to fund the cost of special work and services related to the North Street Commercial Parking Lot is hereby re-enacted for an additional period of ten years, commencing on July 1, 2020 and continuing through June 30, 2030.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1772
(Int. No. 159)

Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas

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

Section 1. The 2020-21 assessment for operation and maintenance of the special assessment district parking lots listed below shall be \$62,465. The assessment amounts are hereby authorized and appropriated and shall be allocated and levied against the properties benefited by the special assessment district parking lots that were established or continued by the Local Improvement Ordinances (LIOs) specified, as follows:

Lot Name	LIO No.	2020-21 Assessment
Lyell Avenue	1548	\$ 9,955
Monroe/Oxford	1770	\$14,200
Woodside/Goodwill	1517	\$14,850
Culver/Merchants	1534	\$ 9,810
North Street	1771	\$12,650
Mt. Hope	1651	\$ 1,000

Section 2. The 2020-21 budget for the operation and maintenance of the special assessment district parking lots shall be \$64,465, comprised of the assessed amounts specified in Section 1 herein, plus \$2,000 in funds for the Monroe/Oxford district that are left over from that district's prior assessments.

Section 3. It is hereby determined that it is impracticable to have the work described herein done by competitive contract. Therefore, contracts for the work described herein may be awarded to such qualified persons, companies or neighborhood associations as may be selected from those located in or adjacent to the aforementioned special assessment districts.

Section 4. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-126
Re: Updating the City's Pre-Employment Drug Testing Policy

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation to amend the City's pre-employment drug testing policy to remove tetrahydrocannabinol (THC), a compound found in marijuana, from the controlled substances included in the testing. Candidates selected for hire for positions with the City of Rochester would no longer be tested for THC prior to commencing work, except for certain positions deemed to require it, such as those related to public safety.

The City of Rochester strives to provide a drug-free workplace and prohibits the possession, use, purchase, sale or transfer of controlled substances, including marijuana, during worktime and in or on City property or facilities. Removal of pre-employment testing for THC avoids unfair discrimination against individuals for an activity conducted during non-work hours that may have no effect on their ability to perform the job for which they are applying.

Although some form of marijuana use, whether medical and/or recreational, is legal in many states across the country, only a few jurisdictions have taken the step of removing marijuana use as a factor in employment decisions. Rochester can continue to lead the way in this effort by revising City policy to no longer require pre-employment testing for THC.

Respectfully submitted,
Lovely A. Warren
Mayor

Loretta C. Scott
City Council President

Ordinance No. 2020-126
(Int. No. 160)

Amending City policy related to pre-employment drug testing

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

Section 1. The Council hereby authorizes the removal of testing for tetrahydrocannabinol (THC), a compound found in marijuana, as part of pre-employment drug testing for City of Rochester employees, except where it may be required for certain positions, including positions related to public safety.

Section 2. The Mayor is hereby directed to revise the City's pre-employment drug testing policy to be consistent with the authorization in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-127
Re: Master License Agreement – Crown Castle Fiber LLC

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing a master license agreement with Crown Castle Fiber LLC, a telecommunications company that is installing fiber based telecommunications facilities, including microcellular repeater equipment in the City right-of-way. Crown Castle's fiber based telecommunications network provides high speed internet and data transport services to business customers in the City of Rochester and installs and maintains telecommunications facilities and equipment for other telecommunications providers. A national communications company, in business for over twenty-five years, in 2018 Crown Castle merged with Fiber Technologies Networks, L.L.C., a local company that installed fiber to numerous City buildings in the early 2000's. More recently, Crown Castle installed eleven small cell antennas for other telecommunications providers, pursuant to a 2016 Right-of Way Agreement, which will be terminated and incorporated into the Master License Agreement.

The terms of the master license agreement will be consistent with the Chapter 106 Telecommunications in the Right-of-Way Code of the City of Rochester, Ordinance No. 2019-34, adopted on February 29, 2019, which established the process and standards for master license agreements for telecommunications providers, including a term of ten years with two five-year renewals, a compensation schedule, requirements for insurance, security and other requirements set forth in Chapter 106 or in the Rules and Regulations for Work in the Right-of-Way which were adopted by the City Engineer pursuant to Chapter 106.

The size and extent of Crown Castle's fiber network and other facilities and the compensation to be paid to the City are not known at this time because additional facilities may be installed over a period of time and that will be dependent on Crown Castle's customer needs. Nevertheless, all new fiber, small cell antennas and other related facilities will be subject to individual permit review before installation and the compensation paid to the City will be determined by the number and amount of facilities in the rightof-way as set forth in Code section 106-15.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-127
(Int. No. 161)

Authorizing a master license agreement with Crown Castle Fiber LLC

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

Section 1. The Mayor is hereby authorized to enter into a master license agreement with Crown Castle Fiber LLC for the installation of telecommunications facilities and accessory equipment in the public right-of-way. The term of the master license agreement shall be ten years, with the option to extend for up to two additional five year renewal terms.

Section 2. The master license agreement shall be consistent with the provisions and requirements of Chapter 106 of the Municipal Code, Telecommunications in the Right-of-Way.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-128
Re: Budget Amendment and Agreement – Rochester Community TV, Inc.

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to funding for Rochester Community TV, Inc. This legislation will:

1. Amend the 2019-20 Budget of Undistributed Expenses to increase revenue and expense in the amount of \$173,100 to reflect the receipt of Public Education and Government (PEG) funds from Charter Communications pursuant to the City's franchise agreement with Charter Communications.
2. Authorize an agreement with Rochester Community TV, Inc. (Carvin Eison, General Manager), a not-for-profit corporation that administers the public access channel RCTV, to establish quarterly payments for the PEG funding. The first payment will be \$173,100, which will be funded from the 2019-20 Budget of Undistributed Expenses. Future payments are authorized to the extent of the amount of revenue received from Charter Communications. The remaining payments will be funded from the 2020-21 Budget of Undistributed Expenses, contingent upon approval. The term of the agreement is one year.

The City's franchise agreement with Charter Communications provides for annual PEG funding for RCTV that the City passes directly to Rochester Community TV, Inc. Starting later this year, some of the PEG fee amount may be deducted from the City's franchise fee paid by Charter Communications to the City pursuant to a recent FCC order which is currently being challenged in the courts. The unsettled circumstances concerning the PEG fees and the possible impact on the City's franchise fees necessitated the need to change the way the PEG funding is passed on to Rochester Community TV, Inc. Establishing quarterly payments of the PEG amount will allow the funding amounts to be adjusted based on any final franchise fee deductions, which are yet to be confirmed.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-128
(Int. No. 176)

Amending the Budget and authorizing an agreement for the provision of public access television

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

Section 1. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue and expense of the Budget of Undistributed Expenses by the sum of \$173,100, which is hereby appropriated from Public Education and Government (PEG) funds received pursuant to the City's franchise agreement with Charter Communications.

Section 2. The Mayor is hereby authorized to enter into an agreement with Rochester Community TV, Inc. to establish quarterly payments to distribute the PEG funds for public access television. The first payment shall be in the amount of \$173,100, which shall be funded from the 2019-20 Budget of Undistributed Expenses. The remaining payments are authorized to the extent of the amount of revenue received from Charter Communications, and shall be funded from the 2020-21 Budget of Undistributed Expenses, contingent upon approval. The term of the agreement shall be one year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson
May 12, 2020

To the Council:

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

- Int. No. 162 Authorizing the sale of real estate
- Int. No. 178 Appropriating Community Development Block Grant-Coronavirus funds to Business Emergency Response Grant and Business Food Establishment Grant programs
- Int. No. 179 Appropriating Community Development Block Grant-Coronavirus funds for the Emergency Assistance Repair Program
- Int. No. 180 Appropriating Community Development Block Grant-Coronavirus funds for a Landlord Rehabilitation Grant Program
- Int. No. 181 Appropriating Community Development Block Grant-Coronavirus funds and authorizing an amendatory agreement for landlord/tenant eviction prevention services
- Int. No. 182 Appropriating Community Development Block Grant-Coronavirus funds and authorizing amendatory agreements for foreclosure prevention services
- Int. No. 183 Appropriating CARES Act coronavirus relief funds and authorizing amendatory agreements for the Housing Opportunities for Persons with AIDS Program
- Int. No. 184 Appropriating Community Development Block Grant-Coronavirus funds and authorizing an agreement for an Aging in Place Home Food Distribution Program
- Int. No. 185 Appropriating CARES Act coronavirus relief funds and authorizing agreements for services for the homeless and those at risk of homelessness
- Int. No. 186 Appropriating Community Development Block Grant-Coronavirus funds and authorizing an agreement relating to Bridging the Digital Divide for City school student, **as amended**

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

- Int. No. 177 Amending the Consolidated Community Development Plan/2019-20 Annual Action Plan to fund and implement programs to prevent, prepare for, and respond to difficulties arising out of the coronavirus pandemic

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

Received, filed and published.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2020-129
 Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

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

The two properties are listed on the attached spreadsheet under the heading, I. Negotiated Sale – Unbuildable Vacant Land. Each is being sold for \$1.00 (as per City policy). The first lot at 462 Child Street is being sold to Flower City Habitat for Humanity who will rehabilitate their

adjoining structure at 468 Child Street and sell to a first time homebuyer who will occupy the property. The vacant lot will be combined with the structure and will be used as additional green space to support the single family home that is being renovated.

The second lot at 115 Randolph Street is being sold to the Rochester Housing Development Fund Corporation in order to resolve a title issue against the adjoining property at 109 Randolph Street. An encroachment onto the City-owned parcel will be rectified when title is vested in the Rochester Housing Development Fund's name. The vacant lot will be combined with the structure and the RHDFC will rehabilitate and sell to a first time homebuyer will occupy the property.

The first year projected tax revenue for these two properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$278.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-83

Ordinance No. 2020-129
(Int. No. 162)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land with proposal, each for the sum of \$1.00:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
462 Child St	105.74-2-48	27 x 88	2,381	Flower City Habitat for Humanity
115 Randolph St	091.84-1-3	11 x 115	1,240	Rochester Housing Development Fund Corporation

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-130
Re: Amending the 2019-20 Annual Action Plan, Consolidated Community Development Plan – CARES Act

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation amending the 2019-20 Annual Action Plan, which was approved by City Council at the June 18, 2019 City Council Meeting, Ordinance No.: 2019-164. The legislation will:

1. Amend the 2019-20 Annual Action Plan, Consolidated Community Development Plan, to reflect the receipt and use of \$7,467,774 in funds from the Coronavirus Aid, Relief, and Economic Security (CARES) ACT as follows: \$4,881,038 in Community Development Block Grant/Coronavirus (CDBG-CV) funds, \$2,444,707 in Emergency Solutions Grants-Coronavirus (ESG-CV) funds, and \$142,029 in Housing Opportunities for Persons With AIDS-Coronavirus (HOPWACV) funds;
2. Authorize the submission of the Plan to the U.S. Department of Housing and Urban Development (HUD); and
3. Authorize agreements with HUD for the receipt and use of grants to fund the Plan.

The CARES Act was signed into law on March 27, 2020 and provides fast and direct economic support for American workers, families, and small businesses. The Amended Annual Action Plan describes projects and activities that will be undertaken with these federal funds to address priority needs.

Approval by the City Council of the Amended Annual Action Plan is required by HUD.

A public hearing on the Amended 2019-20 Annual Action Plan will be held on May 7, 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-130
(Int. No. 177)

Amending the Consolidated Community Development Plan/2019-20 Annual Action Plan to fund and implement programs to prevent, prepare for, and respond to difficulties arising out of the coronavirus pandemic

WHEREAS, in Ordinance No. 2019-164, the City approved and adopted a Consolidated Community Development Plan/2019-20 Annual Action Plan (the 2019-20 Action Plan) to fund and implement community development activities under the federal Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG) Program, Housing Opportunities for Persons with AIDS (HOPWA) Program, HOME Investment Partnerships, City Development Fund, Urban Development Action Grant loan and interest repayments, and other programs;

WHEREAS, the federal Coronavirus Aid, Relief and Economic Security Act enacted on March 27, 2020 (CARES Act) authorizes the U.S. Department of Housing and Urban Development (HUD) to provide supplemental community development funding to municipalities to implement additional activities to prevent, prepare for, and respond to difficulties arising out of the coronavirus pandemic;

WHEREAS, on April 2, 2020, HUD awarded the City of Rochester with \$7,467,774 in supplemental CARES Act funding for three of the community development programs as follows: Community Development Block Grant (CDBG-CV) \$4,881,038 Emergency Solutions Grants (ESG-CV) \$2,444,707 Housing Opportunities for Persons with AIDS (HOPWA-CV) \$ 142,029

WHEREAS, the use of these supplemental CARES Act funds will require a substantial amendment to the 2019-20 Action Plan;

WHEREAS, a plan for amending the 2019-20 Action Plan to incorporate the receipt and use of the CARES Act funds for coronavirus epidemic relief activities (Amendment Plan) has been prepared, presented to the City Council, and circulated for public review and comment through a process that was designed to engage residents and stakeholders in compliance with the CARES Act's expedited review requirements, consistent with emergency social distance and public safety requirements, and as set forth in the amended 2019-20 Citizen Participation Plan that is included in the Amendment Plan;

WHEREAS, the publication of the Amendment Plan and the solicitation of community input included:

- (1) Beginning Friday May 1, 2020, posting the Amendment Plan on-line to a the City's Consolidated Plan webpage: <https://www.cityofrochester.gov/conplan> and emailing notice of the Plan and a link to the webpage to a list of over 400 local stakeholders, including staff of community organizations and agencies, neighborhood and business association leaders, and Rochester residents; .
- (2) Publishing in the May 1st Democrat & Chronicle a notice of the availability of the Plan for a public comment period to extend through 5:00 PM on May 6, 2020;
- (3) Presenting the written comments received to the members of City Council beforehand and reading them into the record during a City Council Public Hearing held on May 7, 2020; and
- (4) streaming the Public Hearing live on the Council's Facebook <https://www.facebook.com/RochesterCityCouncil/> and YouTube https://www.youtube.com/channel/UC_U7nbtS5kEz4bjEM8AGXIQ?view_as=subscriber pages;

WHEREAS, the City Council has reviewed the public comments and recommendations on the Amendment Plan; and

WHEREAS, the City Council has reviewed the needs, strategies and proposed actions to be addressed in the Amendment Plan with City staff.

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

Section 1. The Council hereby approves and adopts the Amendment Plan as an Amendment to the Consolidated Community Development Plan/2019-20 Annual Action Plan (2019-20 Action Plan), including the addition of \$7,467,774 in CARES Act funding to the project funds set forth in the 2019-20 Action Plan under the following new categories:

Community Development Block Grant-Coronavirus (CDBG-CV)	\$4,881,038
Emergency Solutions Grants-Coronavirus (ESG-CV)	\$2,444,707
Housing Opportunities for Persons with AIDS-Coronavirus (HOPWA-CV)	\$ 142,029

Section 2. The Mayor is hereby authorized to submit said Amendment to the United States Department of Housing and Urban Development (HUD).

Section 3. The Mayor is hereby further authorized to provide any such information that may be required by HUD and to execute any grant agreement, project sponsor agreement, or any other documentation as may be necessary to fund and carry out the activities provided for in the Amendment in accordance with the CARES Act and with any other applicable community development laws and regulations. The agreements and documents shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-131
Re: Business Emergency and Food Establishment Grant Programs – CDBG-CV - CARES Act

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation to appropriate \$1,800,000 from the 2019-20 CDBGCV Fund, consisting of supplemental funding to states and local governments to assist businesses who have been severally impacted during the COVID 19 crisis. These funds will be utilized to assist businesses within the city of Rochester through the following programs:

1. Business Emergency Retention Grant (BERG) program in the amount of \$1,500,000 to be utilized towards working capital for businesses who are incurring daily operating expenses without incoming revenue due to the COVID 19 crisis. Eligible operating expenses will include: rent/mortgage, utilities, payroll, insurance and inventory among other similar related operating expenses.
2. Business Food Establishment Grant program in the amount of \$300,000 to be utilized by restaurants to prepare meals for city residents. Funding will be utilized as working capital expenses required to assist in preparing and distributing meals for city residents and include similar related expenses as mentioned above for the BERG program.

The City is requesting approval from HUD for the above mentioned Business Food Establishment Grant. If this program is not approved by HUD, it is requested the proceeds in the amount of \$300,000 be added to the Business Emergency Retention Grant program.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-131
(Int. No. 178)

Appropriating Community Development Block Grant-Coronavirus funds to Business Emergency Response Grant and Business Food Establishment Grant programs

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

Section 1. The Council hereby appropriates \$1,500,000 from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan (2019-20 Action Plan) for the implementation of a Business Emergency Retention Grant program as provided for in the Amendment to the 2019-20 Action Plan approved in Ordinance No. 2020-130.

Section 2. The Council hereby appropriates \$300,000 from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan (2019-20 Action Plan) for the implementation of a Business Food Establishment Grant program as provided for in the Amendment to the 2019-20 Action Plan approved in Ordinance No. 2020-130. This appropriation shall be contingent upon the United States Department of Housing and Urban Development (HUD) authorizing the City to use CDBG-CV funds for said purpose.

Section 3. The Council hereby appropriates to the Business Emergency Retention Grant program an additional \$300,000 from the CDBG-CV allocation of the 2019-20 Action Plan in the event that HUD does not authorize the expenditure of said funds on a Business Food Establishment Grant program as set forth in the contingency in Section 2 herein

Section 4. The Mayor is hereby authorized to enter into grant agreements with the recipients of funding from the programs authorized herein. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-132
Re: Emergency Assistance Repair Program – CDBG-CV - CARES Act

Council Priority: Rebuilding and Strengthening Neighborhood Housing
Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City’s Emergency Assistance Repair Program. This legislation will appropriate \$100,000 from the 2019-20 CARES Act from the Community Development Block Grant (CDBG-CV) program for the City’s use to operate the program.

The City’s Emergency Assistance Repair Program will provide assistance to eligible owner occupants for furnace, hot water tank and/or other emergencies. The funds will serve approximately 50 households. The City will continue to use its existing term agreements with the various service providers to perform the necessary work.

Owners must be current with City and Monroe County property taxes and not be subject to mortgage foreclosure. Household incomes must be at or below 80% of the Housing and Urban Development (HUD) area median income.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-132
(Int. No. 179)

Appropriating Community Development Block Grant-Coronavirus funds for the Emergency Assistance Repair Program

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

Section 1. The amount of \$100,000 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 for the City's use to operate the Emergency Assistance Repair Program (EARP) to assist income eligible owner-occupants with emergency home repairs, including replacements of furnaces and hot water tanks.

Section 2. The Mayor is hereby authorized to enter into agreements with the recipients of grants for this Program. The recipients of Program grants must be current with City and County real property taxes and not be subject to mortgage foreclosure. The grant agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. This ordinance shall take effect immediately.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-133

Re: Landlord Rehabilitation Grant Program CDBG-CV – CARES Act

Council Priority: Creating and Sustaining a Culture of Vibrancy; Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City's Landlord Rehabilitation Grant Program. This legislation will appropriate \$300,000 from the 2019-20 CARES Act from the Community Development Block Grant (CDBG-CV) program for the City's use to operate the program.

The City's Landlord Rehabilitation Grant Program will provide assistance to eligible Landlords with vacant units to make minor repairs to enable quick occupancy. The funds will serve approximately 150 Landlords.

Owners must be current with City and Monroe County property taxes and not be subject to mortgage foreclosure. Tenant incomes must be at or below 80% of the Housing and Urban Development (HUD) area median income.

Respectfully submitted,

Lovely A. Warren

Mayor

Ordinance No. 2020-133

(Int. No. 180)

Appropriating Community Development Block Grant-Coronavirus funds for a Landlord Rehabilitation Grant Program

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

Section 1. The amount of \$300,000 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 for the City's use to operate a Landlord Rehabilitation Grant Program that will assist eligible owners of vacant affordable units to make minor repairs that will enable quick occupancy for tenants with household incomes equal to or less than 80% of the Area Median Income.

Section 2. The Mayor is hereby authorized to enter into grant agreements with the landlords receiving Program grants. The recipients must be current with City and County real property taxes and not be subject to mortgage foreclosure. The grant agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-134

Re: Agreement – Landlord Tenant Eviction Prevention Program Services – CDBG-CV –CARES Act

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$185,000 and authorizing an agreement with The Legal Aid Society of Rochester, New York (Principal: Carla Palumbo) for the Landlord/Tenant Services Program. This legislation will:

1. Appropriate \$185,000 from the 2019-20 CDBG-CV fund for expanded implementation of the Landlord/Tenant Services Program; and
2. Authorize a new or amended agreement in the amount of \$185,000 with The Legal Aid Society of Rochester, New York to provide housing stabilization services to tenants and landlords. The term of the agreement shall be two years and the cost will be financed from the appropriation herein.

The additional funds are to provide support to households directly affected by the COVID19 pandemic and may be added to an existing agreement with The Legal Aid Society of Rochester, New York that was authorized by Ordinance No. 2019-174 in the amount of \$95,000. The Legal Aid Society of Rochester New York will serve as lead agency in partnership with Legal Assistance of Western New York Inc. (Principal: C. Kenneth Perri) and The Housing Council at PathStone, Inc. (Principal: Susan Boss). Services for both landlords and tenants include a variety of eviction prevention services to re-establish or maintain stable housing situations.

The proposed agreement will position Legal Aid and the other organizations to proceed with project implementation as quickly as possible. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly.

A justification statement for not issuing a request for proposals is attached.

Respectfully submitted
Lovely A. Warren
Mayor

Ordinance No. 2020-134
(Int. No. 181)

Appropriating Community Development Block Grant-Coronavirus funds and authorizing an amendatory agreement for landlord/tenant eviction prevention services

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

Section 1. The sum of \$185,000 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 for the provision of additional eviction prevention services to tenants and landlords (the Program).

Section 2. The Mayor is hereby authorized to enter into a new or amendatory agreement with The Legal Aid Society of Rochester, New York to provide additional Program services to households affected by the coronavirus pandemic for a term of up to two years. The maximum compensation for said services shall be \$185,000, which shall be funded from the sum appropriated in Section 1 herein. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and implementing agencies shall enter into agreements for these services only with organizations that are in compliance with federal rules and regulations, including without limitation those issued pursuant to the federal Coronavirus Aid, Relief and Economic Security (CARES) Act.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-135

Re: Agreements – Foreclosure Prevention Program – CDBG-CV – CARES Act

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the 2019-20 Annual Action Plan of the Consolidated Community Development Plan (Con Plan) Foreclosure Prevention Program. This legislation will:

1. Appropriate a total of \$75,000 from the FY 19-20 CDBG-CV fund for implementation of the Foreclosure Prevention Program.
2. Amend or authorize agreements, establishing \$65,000 for The Housing Council at Pathstone, Inc. (Principal: Susan Boss) and \$10,000 for Empire Justice Center (Principal: Kristin Brown) as total maximum compensation to provide foreclosure prevention services. The term of these agreements will be extended two years and the cost will be financed from the funds appropriated herein.

The additional funds are to provide support to households directly affected by the COVID19 pandemic. These two organizations are uniquely qualified. The Housing Council at PathStone, Inc. is a U.S. Housing and Urban Development-approved Housing Counseling Agency with the capacity to handle a large volume of cases. The Housing Council's services include the review of households' financial circumstances and negotiation with lenders to resolve mortgage arrears. The Empire Justice Center is a leader in developing statewide standards for foreclosure prevention legal services. The Empire Justice Center will provide legal advice and litigation services when required by analysis of clients' circumstances.

The proposed agreement will position the two agencies to proceed with project implementation as quickly as possible. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly. A justification statement for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-135
(Int. No. 182)

Appropriating Community Development Block Grant-Coronavirus funds and authorizing amendatory agreements for foreclosure prevention services

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

Section 1. The sum of \$75,000 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 for the provision of additional foreclosure prevention services to households affected by the coronavirus epidemic.

Section 2. The Mayor is hereby authorized to enter into a new or amendatory agreement with The Housing Council at PathStone, Inc. to provide additional foreclosure prevention services for a term of up to two years. The maximum compensation for said services shall be \$65,000, which shall be funded from a portion of the sum appropriated in Section 1 herein. If funds are not available or are less than anticipated, the amounts and terms of the foregoing agreements shall be adjusted accordingly.

Section 3. The Mayor is hereby authorized to enter into a new or amendatory agreement with Empire Justice Center to provide additional foreclosure prevention services for a term of up to two years. The maximum compensation for said services shall be \$10,000, which shall be funded from a portion of the sum appropriated in Section 1 herein. If funds are not available or are less than anticipated, the amounts and terms of the foregoing agreements shall be adjusted accordingly.

Section 4. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and implementing agencies shall enter into agreements for these services only with organizations that are in compliance with federal rules and regulations, including without limitation those issued pursuant to the federal Coronavirus Aid, Relief and Economic Security (CARES) Act.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance 2020-136

Re: Housing Opportunities for Persons with AIDS Program – HOPWA-CV – CARES Act

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the 2019-20 Annual Action Plan of the Consolidated Community Development Plan (Con Plan) Housing Opportunities for Persons with AIDS Program (HOPWA). This legislation will:

1. Appropriate a total of \$142,029 from the 2019-20 HOPWA-CV fund for implementation of the HOPWA Program.
2. Amend or authorize agreements, establishing \$85,217 for Trillium Health, Inc. (Andrea DeMeo, CEO) and \$56,812 for Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services (Lori VanAuken, Executive Director) to provide additional HOPWA services with the funds appropriated herein for a term of two years.

The additional funds are to provide support to households directly affected by the COVID19 pandemic and may be added to existing agreements with Trillium Health, Inc. and Catholic Charities Community Services that was authorized by Ordinance No. 2019-181 in the amounts of \$557,828 and \$371,885, respectively. Assistance includes both long-term (over 21 weeks) and short-term services and financial assistance in the form of payments of mortgage, rent, and utilities. Trillium Health, Inc. and Catholic Charities Community Services provide maximum HOPWA assistance through the coordination of other funding sources and other service providers. HOPWA serves Livingston, Monroe, Ontario, Orleans and Wayne counties. Trillium Health provides service to the five-county area. Catholic Charities Community Services serves Monroe County.

The proposed agreement will position the two agencies to proceed with project implementation as quickly as possible. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly. A justification statement for not issuing a request for proposals was completed and attached herewith.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-136
(Int. No. 183)

Appropriating CARES Act coronavirus relief funds and authorizing amendatory agreements for the Housing Opportunities for Persons with AIDS Program

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

Section 1. The sum of \$142,029 is hereby appropriated from the Housing Opportunities for Persons with AIDS-Coronavirus (HOPWA-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 to provide additional HOPWA program services to households impacted by the coronavirus epidemic.

Section 2. The Mayor is hereby authorized to enter into a new or amendatory agreement with Trillium Health, Inc. to provide additional HOPWA program services for a term of up to two years. The maximum compensation for said services shall be \$85,217, which shall be funded from a portion of the sum appropriated in Section 1 herein.

Section 3. The Mayor is hereby authorized to enter into a new or amendatory agreement with Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services to provide additional HOPWA program services for a term of up to two years. The maximum compensation for said services shall be \$56,812, which shall be funded from a portion of the sum appropriated in Section 1 herein.

Section 4. The amendatory agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and implementing agencies shall enter into agreements for the HOPWA program only with organizations that are in compliance with federal rules and regulations, including without limitation those issued pursuant to the federal Coronavirus Aid, Relief and Economic Security (CARES) Act.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-137

Re: Agreement – Aging in Place Home Food Distribution for Seniors Program – CDBG-CV – CARES Act

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation for the Aging in Place Home Food Distribution Program. This legislation will:

1. Appropriate \$20,000 from the 2019-20 CDBG-CV Fund to address perishable food and home delivery of food for income-eligible elderly owner occupants, and
2. Establish maximum compensation for this activity with Lifespan of Greater Rochester, Inc. (Anne Marie Cook, President / CEO) in the amount of \$20,000.

Lifespan has identified perishable and non-perishable food distribution as a key and economical method for helping older residents remain independent and safe at home. Elderly city homeowners at 80% or less than the median area income as established and updated by HUD, are eligible for the program.

The Aging in Place Home Food Distribution Program will support food purchases and deliveries in order to help provide a safe and comfortable environment for the elderly amid Covid-19 concerns.

The term of the agreement will be two years. A Justification Statement for Awarding a Professional Services Agreement without a Request for Proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-137
(Int. No. 184)

Appropriating Community Development Block Grant-Coronavirus funds and authorizing an agreement for an Aging in Place Home Food Distribution Program

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

Section 1. The sum of \$20,000 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 for an Aging in Place Home Food Distribution Program to provide home deliveries of food to income-eligible seniors (the Program).

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Lifespan of Greater Rochester, Inc. to implement the Program. The maximum compensation for the agreement shall be \$20,000, which shall be funded from the sum appropriated in Section 1 herein. The term of the agreement shall be up to two years.

Section 3. If funds are not available or are less than anticipated, the amounts and terms of the agreement shall be adjusted accordingly.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-138

Re: Homeless & Homelessness/Eviction Prevention Services Agreements – Emergency Solutions Grants (ESG-CV) & Community Development Block Grant (CDBG-CV) – CARES Act

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$1,034,272 in 2019-20 CARES Act - ESG-CV funds for twelve (12) agreements and \$900,000 in 2019-20 CARES Act – CDBG–CV funds for one agreement to provide a variety of homelessness prevention and supportive services for households and individuals affected by the COVID-19 epidemic. This legislation will:

1) Appropriate \$1,034,272 from the 2019-20 CARES Act – ESG-CV Program to continue and expand services available to our homeless and at-risk of homelessness populations, in the amounts specified below;

Organization	Principal	ESG-CV
Spiritus Christi Prison Outreach, Inc.	Jim Smith	\$36,904
Rochester Area Interfaith Hospitality Network, Inc.	Kim Hunt-Uzelac	\$29,898
Volunteers of America of Western New York, Inc.	Lynn Sullivan	\$28,545
Catholic Charities of the Diocese of Rochester, dba Catholic Family Center (Homelessness Prevention)	Marlene Bessette	\$367,133
Catholic Charities of the Diocese of Rochester, dba Catholic Family Center (Emergency Shelter)	Marlene Bessette	\$103,040
The Center for Youth Services, Inc.	Elaine Spaul	\$102,865
The Young Women’s Christian Association of Rochester and Monroe County, N.Y.	Angela Panzarella	\$35,232
Willow Domestic Violence Center of Greater Rochester, Inc.	Meaghan de Chateauvieux	\$62,719
Saving Grace Ministries of Rochester, Inc.	James Crowley	\$15,000
Open Door Mission, Inc.	Anna Valeria-Iseman	\$201,597
Recovery Houses of Rochester, Inc.	Van Smith, Jr.	\$33,721
Housing Advocacy Services, Inc.	Heather Briggs	\$17,618
TOTAL		\$1,034,272

2. Appropriate \$900,000 from 2019-20 – CARES Act – CDBG-CV to the Catholic Charities of the Diocese of Rochester, dba, Catholic Family Center (Marlene Bessette, Principal) for expanded implementation of their Homelessness Prevention and Rental Assistance Program; and
3. Authorize a new professional services agreement, or amend an existing professional service agreement, with each of the providers listed above to provide assistance to households affected by the COVID 19 pandemic.

The City received an award letter on April 3, 2020 announcing the ESG-CV funds, and throughout April 2020 the City coordinated with community members, including; current grantees, the CoC, the County, DHS, consumers, and other stakeholders to determine the best and most effective use of these funds. Several priorities were identified early on, including:

1. Homelessness Prevention, by supporting tenants through the provision of rental assistance, rental arrears, and cash security deposits, and providing support to agencies coordinating those efforts. Planning & systems development must be done now to adequately meet the anticipated increase in demand for these services.

2. Staffing & Hazard Pay, including funding for hazard pay, wages for front line workers, trainings for COVID response, and cleaning supplies/protective equipment to ensure staff have safe working environments (shelters will be able to recoup these costs dating back to March 27th).
3. Funding for Hotel Rooms, or financial support for other alternative placements to decompress shelters, move high-risk persons out of congregate living settings, and get those persons into safe shelter while more permanent options are considered.

**Note: since the release of the NOFA, the City has learned that the County/DHS will be funding hotel placements by accessing available FEMA funding, and it is unlikely that any ESG-CV funding will be used for hotel stays. Funding will be provided to support those living in hotels and efforts to get them housed.*

4. Supportive Services, by offering funding for shelter staff to provide crucial essential services to homeless persons living in shelters, but also for our homeless population that has been relocated to temporary housing, to locations such as hotels. These persons have immediate needs that must be addressed, and work will need to be done to ensure they have appropriate housing after “New York on Pause” ends.

The City performed outreach, in conjunction with the Monroe County Office of Planning, County DHS, the Continuum of Care, Homeless Services Network, and over 90 local service providers to determine the status of the populations they serve, both homeless and those at risk of homelessness, with the expectation that the at-risk population will have expanded needs in the coming weeks and months as the eviction moratorium is lifted.

The community confirmed the priority list above, and helped refine our planning and strategy. The City and County will award funding to the community in a tiered approach, and will release the funding in two phases. Phase I was announced through the release of a Notice of Funding Availability (NOFA) on April 22, 2020. The Phase I NOFA will award ESG-CV funding to programs addressing those immediate needs that have already been identified, including: systems integration and design for eviction prevention services, staffing, hazard pay, and training for front-line workers, essential supportive services for homeless persons, and funding to move people out of hotels and into housing. Given the anticipated increase in need for eviction and homeless prevention services, various eligibility standards and requirements, and the varied and de-centralized availability of direct eviction and foreclosure assistance, the City is working with several community partners on a systems integration and unified funding project. A coordinated entry system has been utilized in recent years to help persons move from homelessness to housing, but a similar system, designed to prevent persons from becoming homeless, has yet to be developed. This project would make the intake, resource identification, and referral process more efficient and effective, and would lower costs while helping a greater number of people. The City will continue to work with the United Way, Catholic Family Center, CCSI, DHS, the County, and a number of others to aid this process.

The City’s funding announcement, award, and contract development processes have been expedited to get funding out to grantees as quickly as possible. Approximately \$1 million of ESG-CV funding will be awarded through Phase I, with the remaining funding to be awarded during Phase II in mid-May. The City’s allocation was part of the first \$1 billion of ESG-CV funding called for within the CARES Act, and was formula driven. HUD is developing a new formula for a second allocation of the remaining \$2.96 billion. The CARES Act requires HUD to distribute the second allocation within 90 days of enactment of the bill. Coordination with other funding agencies is ongoing, to determine highest and best use of each funding source and to allow ESG-CV funds to target projects, programs, and populations with the greatest need and lowest resources. We continue to work with DHS, the United Way, and the CoC to deploy funds strategically.

If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly. Agreement terms will be program dependent, but range from 6 to 12 months, with the option to extend for up to an additional year if funds remain in the original appropriation.

This legislation supports the City Housing Policy’s Section 4: Promote Housing Choice.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-138
(Int. No. 185)

Appropriating CARES Act coronavirus relief funds and authorizing agreements for services for the homeless and those at risk of homelessness

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

Section 1. The sum of \$1,034,272 is hereby appropriated from the Emergency Solutions Grant/Coronavirus (ESG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 continue and expand services for the homeless and those at risk of homelessness under the Emergency Solutions Grant Program (ESG Program).

Section 2. The Mayor is hereby authorized to enter into a new or amendatory professional services agreement with each of the following providers for ESG Program services. The agreements shall obligate the City to pay an aggregate amount not to exceed \$1,034,272 with the maximum amount for each agreement being as follows:

Provider	Amount
Spiritus Christi Prison Outreach, Inc.	\$ 36,904
Rochester Area Interfaith Hospitality Network, Inc.	\$ 29,898
Volunteers of America of Western New York, Inc.	\$ 28,545
Catholic Charities of the Diocese of Rochester, dba Catholic Family Center (for Homelessness Prevention)	\$367,133
Catholic Charities of the Diocese of Rochester, dba Catholic Family Center (for Emergency Shelter)	\$103,040
The Center for Youth Services, Inc.	\$102,865
The Young Women’s Christian Association of Rochester and Monroe County, N.Y.	\$ 35,232
Willow Domestic Violence Center of Greater Rochester, Inc.	\$ 62,719
Saving Grace Ministries of Rochester, Inc.	\$ 15,000
Open Door Mission, Inc.	\$ 201,597
Recovery Houses of Rochester, Inc.	\$ 33,721
Housing Advocacy Services, Inc.	\$ 17,618
TOTAL	\$1,034,272

The maximum amounts of said agreements, or so much thereof as may be necessary, shall be funded from the sum appropriated in Section 1. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly.

Section 3. The sum of \$900,000 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 to continue and expand a Homelessness Prevention and Rental Assistance Program.

Section 4. The Mayor is hereby authorized to enter into a new or amendatory professional services agreements with Catholic Charities of the Diocese of Rochester, dba Catholic Family Center to implement the Homelessness Prevention and Rental Assistance Program. The maximum compensation for the agreement shall be \$900,000, which shall be funded from the sum appropriated in Section 3 herein. If funds are not available or are less than anticipated, the agreement amount and terms shall be adjusted accordingly.

Section 5. The term of each agreement authorized in Sections 2 and 4 shall range from 6 months to 1 year, depending on program requirements and on the preconditions applicable to the awards of ESGCV and CDBG-CV coronavirus relief funds under the federal Coronavirus Aid, Relief and Economic Security (CARES) Act. When permissible, an agreement may provide an option to extend the term for up to 1 additional year if funds from the original appropriation remain.

Section 6. The agreements authorized in Sections 2 and 4 shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and the provider agencies shall only enter into agreements with organizations that are in compliance with federal rules and regulations, including without limitation those issued pursuant to the CARES Act.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-139
 Re: Appropriation and Agreement – Programming to Address the Digital Divide – CARES Act

Council Priority: Supporting the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity; Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the use of emergency coronavirus pandemic funds to provide equitable access to technology, equipment, and internet connectivity for grade school students during and after the closure of schools caused by the pandemic.

This legislation will authorize the City to enter into a professional services agreement with United Way of ~~Greater Rochester, Inc. Services Corporation~~ (Jaime Saunders, President & CEO) to coordinate a citywide initiative that provides Rochester City School District (RCSD) students the technology necessary to access distance learning curriculum services. The term of the agreement will be 1 year. The compensation for the agreement will be appropriated from the CDBG - CV allocation within the 2019-20 Action Plan in the maximum amount of \$721,038, which may be increased to \$1,021,038 if the Council does not, on or prior to July 21, 2020, appropriate \$300,000 from the CDBG - CV allocation for the build-out of additional space to deal with the coronavirus epidemic.

The City is partnering with the United Way, the Rochester Area Community foundation, and the RCSD to address the lack of equitable access to technology equipment and internet connectivity experienced by Rochester youth. While this “digital divide” is a known issue in our community, it has been compounded by the current pandemic crisis, resulting in immediate barriers to students’ academic success. Through this city-wide initiative, between 2,000 and 3,000 Rochester City School District students in grades 5 and below will be provided required technology to access distance learning curriculum.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2020-139
 (Int. No. 186, as amended)

Appropriating Community Development Block Grant-Coronavirus funds and authorizing an agreement relating to Bridging the Digital Divide for City school students

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

Section 1. The sum of \$721,038 is hereby appropriated from the Community Development Block Grant-Coronavirus (CDBG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 to fund the Bridging the Digital Divide Initiative to provide the technology and equipment necessary for Rochester City School District students to access distance learning services (the Bridging the Digital Divide Initiative). This appropriation of CDBG-CV funds to the Initiative shall increase by \$300,000 to a new total of \$1,021,038 if the Council does not, on or prior to July 21, 2020, appropriate \$300,000 of additional CDBG-CV funds for the buildout of additional space to provide coronavirus relief services.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with United Way Services Corporation ~~of Greater Rochester, Inc.~~ to coordinate the Bridging the Digital Divide Initiative. The term of the agreement shall be 1 year. The maximum compensation for the agreement shall be the entire amount appropriated to the Initiative in Section 1 herein, which is the sum of \$721,038 but subject to a contingent increase to \$1,021,038 as provided for therein.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. If funds are not available or are less than anticipated, the amount and term of the agreement shall be adjusted accordingly.

Section 4. This ordinance shall take effect immediately.

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Passed unanimously.

By Councilmember Gruber
May 12, 2020

To the Council:

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

Int. No. 163	Authorizing an agreement to design Resiliency and Economic Development Initiative projects along the Genesee River, <u>as amended</u>
Int. No. 164	Authorizing an amendatory agreement relating to the ROC City Skate Park
Int. No. 165	Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$412,000 Bonds of said City to finance the ROC City Skate Park
Int. No. 166	Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,342,000 Bonds of said City to finance the Sager Drive Improvement Project
Int. No. 167	Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$287,000 Bonds of said City to finance water line and water service improvements associated with the Sager Drive Improvement Project
Int. No. 168	Authorizing an agreement for the Sager Drive Improvement Project

Respectfully submitted,
Mitch Gruber
Malik Evans
Jose Peo
Willie Lightfoot
Loretta C. Scott

PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-140
Re: Agreement – Ramboll, Lake Ontario Resiliency and Economic Development Initiative (REDI) Grants

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to Lake Ontario REDI Grants. This legislation will:

1. Establish \$680,000 as maximum compensation for an agreement with Ramboll US Corporation, (Stephen Washburn – Chief Executive Officer, 4350 North Fairfax Drive, Suite 300, Arlington, Virginia) for design services for the NYS Resiliency and Economic Development Initiative(REDI) Grant projects. The cost of the agreement will be financed from the grant appropriated herein and \$34,000 from 2016-17 Cash Capital; and,
2. Appropriate \$646,000 in anticipated reimbursements from Lake Ontario Resiliency and Economic Development Initiative (REDI) grant as administered through Dormitory Authority of the State of New York (DASNY).

Governor Andrew M. Cuomo launched the REDI program in May 2019 to meet the needs of New York State residents living in the eight (8) counties impacted by Lake Ontario and St. Lawrence River flooding. The \$300 million program is intended to repair damage caused by

previous flood events and to increase the resiliency of municipal shoreline facilities to protect against anticipated future high water events. Council authorized the application for funding and agreements with New York State in December 2019 (Ordinance No. 2019-376).

Ramboll was hired by NYS to conduct initial design reports for all statewide municipalities receiving grant funding through the REDI program, including the City’s projects. Ramboll was selected for design services based upon their extensive experience with the project area, the NYS REDI program and the involved state and federal agencies. A No RFP Justification form is attached.

Ramboll will complete the design of improvements for the City’s REDI funded projects. The City’s REDI projects are on both the west and east sides of the Genesee River. The west side project includes an approximate 3,200 foot length of river shoreline consisting of the City’s River St. Marina and associated facilities along with a number of tax parcels owned by other entities. The west side project will provide resilient bank stabilization measures, flood mitigation techniques, utility upgrades and marina dock modifications. The east side project includes an approximate 975 foot length of river shoreline consisting of City parcels along with parcels owned by other governmental and private entities. The east side project will provide continuous flood protection (floodwalls and berms) along the river and upgrades to the landside storm sewer systems and utilities to better handle any future storm water intrusion.

Design phase will begin in spring 2020 with anticipated completion in spring 2021. The agreement shall have a term of six (6) months after acceptance of the design documents completion of the Bidding Phase. The agreement will result in the creation and/or retention of the equivalent of 7.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-140
(Int. No. 163, as amended)

Authorizing an agreement to design Resiliency and Economic Development Initiative projects along the Genesee River

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 Ramboll US Corporation to provide design services relating to two proposed Genesee River shoreline improvement projects associated with New York State’s Resiliency and Economic Development Initiative (REDI). The maximum compensation for the agreement shall be \$680,000, which shall be funded in the amount of \$34,000 from 2016-17 Cash Capital and in the amount of \$646,000, which is hereby appropriated for the purpose, from the Dormitory Authority of the State of New York through a portion of the REDI grant agreement authorized in Ordinance No. 2019-376. The term of the agreement shall extend to 6 months after ~~the acceptance of the design documents~~ completion of the bidding phase.

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

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text; new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-141
Ordinance No. 2020-142
Re: ROC City Skate Park

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 ROC City Skate Park. This legislation will:

1. Authorize an amendatory agreement with Stantec Consulting Services Inc. (James R. Hoffman, Jr., Principal, 61 Commercial Street, Suite 100, Rochester, New York) This amendment will increase the compensation by \$92,850 to a maximum total of \$572,850 and will be funded with 2019-20 Cash Capital; and,

2. Authorize the issuance of bonds totaling \$412,000 and the appropriation of the proceeds thereof to partially finance the construction of the Project. The estimated total project construction cost will increase to \$3,036,784 including the bonds issued herein. The total cost of the project will be funded from the sources outlined in the chart on the following page.

The ROC City Skate Park is a customized wheel-friendly skate park located under and adjacent to the Susan B Anthony/Frederick Douglass Bridge will be the first outdoor public skate park in Rochester.

The original Stantec agreement, authorized in September 2018 (Ordinance No. 2018-311), established maximum compensation of \$350,000 for the design, construction administration and RPR Services for the Skate Park. The agreement was amended in July 2019 (Ordinance No. 2019-240) to increase the maximum compensation by \$130,000 to a maximum total of \$480,000. The amendatory agreement authorized herein will fund additional construction phase design services and residential project representation (RPR) services related to the expanding the project and for services related to unforeseen subsurface conditions.

The bonds issued herein, along with prior approved funding, will be utilized to expand the scope of construction to include the entire Phase I skate park. The additional construction will include approximately 2,400 square feet of additional skate plaza area, upgraded sport lighting and fund adjustments in site excavation quantities due to unforeseen subsurface conditions.

The construction of the project will be funded as follows:

Source of Funds	Design	Construction	Contingency	Total
2016-17 Cash Capital	160,000	0	0	\$160,000
2019-20 Cash Capital	100,000	0	0	\$100,000
2019-20 Cash Capital Friends of ROC City Skatepark donation authorized in 2019-240	10,000	0	0	\$10,000
ROC the Riverway grant administered through Empire State Development authorized Ordinance No. 2019-240	0	1,000,000	0	\$1,000,000
RG&E Grant authorized 2019-240	20,000	174,784	0	\$194,784
2018-19 Cash Capital	190,000	450,000	0	\$640,000
2018-19 Cash Capital Tony Hawk Foundation Grant authorized 2018311	0	250,000	0	\$250,000
Debt to be authorized herein	0	352,216	59,784	\$412,000
2019-20 Cash Capital Tony Hawk Foundation Grant authorized 202048	0	50,000	0	\$50,000
2019-20 Cash Capital Rochester Downtown Development Corporation grant authorized April 2020 council	92,850	17,150	0	\$110,000
2019-20 Cash Capital Friends of Roc City Skate park donation authorized 2020-48	0	75,000	0	\$75,000
2019-20 Cash Capital Friends of Roc City Skate park donation authorized April council	0	35,000	0	\$35,000
Total	\$572,850	\$2,404,150	\$59,784	\$3,036,784

C.P. Ward, Inc. (Kenneth A. Stewart, Chief Executive Officer, 100 West River Road, Scottsville, New York) is the contractor for construction. Construction of the Skate Park began in fall 2019 with scheduled for completion in fall 2020. The funding will result in the creation and/or retention of the equivalent of 4.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-85

Ordinance No. 2020-141
(Int. No. 164)

Authorizing an amendatory agreement relating to the ROC City Skate Park

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 Stantec Consulting Services Inc. to provide additional design and resident project representation services for the ROC City Skate Park (Project). The amendatory agreement shall amend the professional services agreement authorized in Ordinance No. 2018-311 and amended in Ordinance No. 2019-240 so as to increase the maximum compensation by \$92,850 to a new total of \$572,850. The increase in compensation shall be funded from 2019-20 Cash Capital.

Section 2. The agreement 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.

Ordinance No. 2020-142
(Int. No. 165)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$412,000 Bonds of said City to finance the ROC City Skate Park

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 for the ROC City Skate Park, a custom concrete wheelfriendly skate park located on the east side of the Genesee River under and adjacent to the Susan B Anthony/Frederick Douglass Bridge (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,036,784. The plan of financing includes the issuance of \$412,000 bonds of the City to finance a portion of said appropriation, the proceeds of which are hereby appropriated to the Project, \$1,000,000 in ROC the Riverway grant funds from Empire State Development appropriated in Ordinance No. 2019-240, \$194,784 in grant funds from Rochester Gas and Electric Corporation appropriated in Ordinance No. 2019-240, \$380,000 in 2019-20 Cash Capital, \$890,000 in 2018-19 Cash Capital, \$160,000 in 2016-17 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 \$412,000 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 \$412,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 3 of the Law, is thirty (30) years.

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

in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-143
Ordinance No. 2020-144
Ordinance No. 2020-145

Re: Sager Drive Improvement Project (Culver Road to East Boulevard)

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Sager Drive Improvement Project. This legislation will:

1. Authorize the issuance of bonds totaling \$1,342,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and RPR services for the project; and,
2. Authorize the issuance of water bonds totaling \$287,000 and the appropriation of the proceeds thereof to finance the water portion of construction and RPR services for the project; and,
3. Establish \$275,000 as maximum compensation for a professional services agreement with Vanguard Engineering, P.C. (Joseph C. Ardieta, P.E., C.E.O., 241 Castlebar Road, Rochester, NY) for Resident Project Representation (RPR) services. The cost of the project will be funded from the sources outlined in the chart on the following page.

Street improvements will include pavement reconstruction, new driveway aprons, curbs, sidewalks, curb ramps, catch basins, manhole frames and covers, water main, water services, hydrants, telecommunication conduit, and street lighting. These changes will improve accessibility, drainage and rideability.

The project is being designed by the City's Department of Environmental Services, Bureau of Architecture and Engineering.

Vanguard Engineering, P.C. (Joseph C. Ardieta, P.E., C.E.O., 241 Castlebar Road, Rochester, NY) was selected for RPR Services through a Request for Proposal process, which is described in the attached summary. The agreement shall have a term of three (3) months after completion of the two-year guarantee inspection of the project.

Bids for construction were received on March 31, 2020. The apparent low bid of \$1,394,880.00 was submitted by Ramsey Constructors, Inc. (Christopher Ramsey, C.E.O., 5711 Gateway Park, Lakeville, New York).

The project will be funded as follows:

Source of Funds	Construction	Street Lighting	RPR	Contingency	Total
Bonds authorized herein	1,005,897	29,600	230,559	75,944	1,342,000
Water bonds authorized herein	225,416	0	44,441	17,143	287,000
Pure Waters Reimbursement appropriated April 2020 Council	162,667	0	0	12,200	174,867
2016-17 Cash Capital	900	0	0	300	1,200
Total	\$1,394,880	29,600	\$275,000	\$105,587	\$1,805,067

Construction is anticipated to begin in summer 2020 with substantial completion in fall 2020. The project will result in the creation and/or retention of the equivalent of 19.6 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-86

Ordinance No. 2020-143
 (Int. No. 166)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,342,000 Bonds of said City to finance the Sager Drive Improvement 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 for the Sager Drive Improvement Project extending over the entire length of said street and including pavement reconstruction, new driveway aprons, curbs, sidewalks, curb ramps, catch basins, manhole frames and covers, telecommunications conduit and street lighting (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 \$1,518,067. The plan of financing includes the issuance of \$1,342,000 bonds of the City, the proceeds of which are hereby appropriated to the Project, \$174,867 in reimbursements from the Rochester Pure Waters District that are appropriated for sewer improvements associated with the City's street improvement program in Ordinance No. 2020-108, \$1,200 in 2016-17 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 \$1,342,000 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 \$1,342,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

Passed unanimously.

Ordinance No. 2020-144
(Int. No. 167)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$287,000 Bonds of said City to finance water line and water service improvements associated with the Sager Drive Improvement 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 cost of water line and water service improvements for the entire length of the street related to the Sager Drive Improvement Project (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$287,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$287,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$287,000 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 \$287,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

Ordinance No. 2020-145
(Int. No. 168)

Authorizing an agreement for the Sager Drive Improvement Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Vanguard Engineering, P.C. to provide resident project representation services for the Sager Drive Improvement Project. The maximum compensation for the agreement shall be \$275,000, which shall be funded in the amount of \$230,559 from the proceeds of project bonds authorized in Ordinance No. 2020143 and \$44,441 from the proceeds of water bonds authorized in Ordinance No. 2020-144. The term of the agreement shall continue until 3 months after completion of the two-year guarantee inspection of the project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Vice-President Lightfoot
May 12, 2020

To the Council:

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

- Int. No. 169 Appropriating funds for the use of GrayKey technology
- Int. No. 170 Appropriating funds and amending the 2019-20 Budget for the operations of the Greater Rochester Area Narcotics Enforcement Team program
- Int. No. 171 Authorizing an intermunicipal agreement with the Monroe County Crime Lab
- Int. No. 172 Authorizing a grant agreement with the County of Monroe for the Tobacco Sales Compliance Grant Program

- Int. No. 173 Authorizing an agreement for the Cities Connecting Children to Nature initiative
- Int. No. 174 Appropriating funds and authorizing agreements for the Sexual Risk Avoidance Education Grant program
- Int. No. 175 Authorizing an intermunicipal agreement with the School District for traffic and crowd control services

Respectfully submitted,
 Willie J. Lightfoot
 Mitch Gruber
 LaShay D. Harris
 Jacklyn Ortiz
 Loretta C. Scott

PUBLIC SAFETY YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2020-146
 Re: Appropriation of Forfeiture Funds – GrayKey Technology

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$19,000 from federal forfeited funds generated by the Police Department, and amending the 2019-20 Budget of the Police Department to reflect this amount.

These funds will be used to purchase a one-year license for GrayKey technology from Grayshift, LLC (Principal: David Miles). This technology is the best technology currently on the market that assists investigators with gaining access, with a warrant signed by a judge, into locked iPhones during an investigation. Information contained within iPhones has proven vital by providing direct evidence that helps Investigators solve murders and other violent crimes. This technology will allow RPD to obtain this vital information quickly, which can lead to arrests and prevent further violence from occurring in the City.

The appropriations requested this month will result in a balance of approximately \$772,300 in the federal forfeiture Justice fund. Funding for future annual GrayKey Technology licenses will be included in the future Budgets of the Police Department upon approval and providing federal forfeiture funds are available.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2020-146
 (Int. No. 169)

Appropriating funds for the use of GrayKey technology

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

Section 1. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by the sum of \$19,000, which amount is hereby appropriated from funds realized from seized and forfeited assets to fund the purchase of a license to use GrayKey technology for police investigations.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-147

Re: Appropriation of Forfeiture Funds - GRANET Operations

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$50,000 from federal forfeited funds generated by the Greater Rochester Area Narcotics Enforcement Team (GRANET), and amending the 2019-20 Budget of the Police Department to reflect this amount.

These funds will be used to support GRANET operations by paying for electronic wire taps for long term investigations. The purpose of which is to disrupt the illegal drug trade in Rochester and surrounding towns and as a result have an impact on violent crime, to include homicides, through Rochester and Monroe County.

GRANET is a multi-jurisdictional team comprised of local and federal agencies. As a participant of the team, the City administers GRANET's equitable share of federal forfeiture funds, and keeps a separate accounting for these funds. The undesignated balance in GRANET's forfeiture fund after this transfer is estimated at \$352,300.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-147
(Int. No. 170)

Appropriating funds and amending the 2019-20 Budget for the operations of the Greater Rochester Area Narcotics Enforcement Team program

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

Section 1. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by the sum of \$50,000, which amount is hereby appropriated from funds realized from seized and forfeited assets to fund the operations of the Greater Rochester Area Narcotics Enforcement Team (GRANET).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-148

Re: Inter-municipal Agreement – Monroe County, Crime Lab

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the Rochester Police Department's (RPD's) access to the National Integrated Ballistics Information Network at no cost. The term of the agreement is April 1, 2020 through March 31, 2021 and can be renewed upon the prior written consent of the parties.

Monroe County Crime Lab is a participating agency in the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) National Integrated Ballistics Information Network (NIBIN). Upon successful completion of the ATF training on the procedures and techniques for entering ballistic imaging data into the NIBIN database, the County will grant two RPD Police Evidence Technicians access to the NIBIN acquisition room for the purpose of entering cartridge casing evidence into the NIBIN database.

This is the first time for this agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-148
(Int. No. 171)

Authorizing an intermunicipal agreement with the Monroe County Crime Lab

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 Monroe County Crime Lab for access to the National Integrated Ballistics Information Network at no cost. The term of the agreement shall be April 1, 2020 through March 31, 2021, and may be extended for one or more additional periods of 1 year each upon the written consent of the parties.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-149
Re: Agreement – Monroe County, Tobacco Sales Compliance Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of \$41,000 for a Tobacco Sales Compliance grant. The term of the agreement is April 1, 2020 through March 31, 2021.

Monroe County will reimburse costs of up to \$41,000 in overtime and fringe benefits (\$31,200 of overtime; \$9,800 fringe) for compliance checks conducted during the contract term. This agreement continues the enforcement program begun in April 1998, under which the Police Department conducts inspections of licensed tobacco outlets in the City. These inspections track compliance with the age restrictions on tobacco sales by using underage "agents" who attempt to buy tobacco products. Police Officers accompanying the purchasers will record and report any illegal underage sales, and will inspect sellers' premises for compliance with restrictions on product placement, and the possession of proper documents and certificates. The \$31,200 for overtime will be included in the 2020-21 Budget of the Police Department and \$9,800 for fringe will be included in the 2020-21 Budget of Undistributed Expenses, contingent upon approval of the budget. RPD has received this grant for over 10 years.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-149
(Int. No. 172)

Authorizing a grant agreement with the County of Monroe for the Tobacco Sales Compliance 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 County of Monroe for the receipt and use of up to \$41,000 of funding for the Tobacco Sales Compliance Grant Program to be implemented on April 1, 2020 through March 31, 2021.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-150

Re: Grant Agreement – National League of Cities, Cities Connecting Children to Nature

Council Priority: Creating and sustaining a culture of vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing an agreement with the National League of Cities (Clarence Anthony, CEO & Executive Director, Washington, DC) for the receipt and use of a \$25,000 Catalytic Assistance grant to support the City of Rochester's "Cities Connecting Children to Nature" (CCCN) initiative. This funding will be anticipated and included in the 2020-21 Budget of the Department of Recreation and Youth Services (DRYS), contingent upon approval. The term of the grant will not exceed one-year.

Funding from the CCCN Catalytic Assistance grant will enable DRYS to further expand the City's existing environmental programming portfolio by establishing a full-time CCCN Environmental Program Coordinator position. This position will oversee the expansion of existing environmental education collaborations and create new partnerships within the community; and innovate and improve the City's environmental education programs to better serve youth and families that utilize City R-Centers and public libraries. The remaining expenses for the full-time position are funded by the proposed 2020-21 Community Development Block Grant allocation, contingent upon approval.

Since 2018, the National League of Cities and the Children & Nature Network has provided technical assistance to the City's efforts to develop an urban Nature Center, to increase community access to nature and nature programming, and to provide Rochester youth with environmental stewardship work experiences. The Catalytic Assistance grant is the first financial grant received by the City for the CCCN initiative.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-87

Ordinance No. 2020-150
(Int. No. 173)

Authorizing an agreement for the Cities Connecting Children to Nature initiative

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 National League of Cities for the receipt and use of \$25,000 in Catalytic Assistance grant funding to support the Cities Connecting Children to Nature initiative. The term of the agreement shall not exceed one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-151

Re: Agreements – New York State Department of Health, Sexual Risk Avoidance Education Grant

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 New York State Department of Health (NYSDOH) Sexual Risk Avoidance Education (SRAE) Grant program to address unintended teen pregnancy. This legislation will:

1. Authorize an agreement with NYSDOH for the receipt and use of \$275,000 SRAE grant for the July 1, 2020 through June 30, 2021 program period. The NYSDOH SRAE Grant program is in year two of the five-year grant period of July 1, 2019 through June 30, 2024.
2. Authorize an agreement with Baden Street Settlement of Rochester, Inc. / Metro Council for Teen Potential for \$134,750 maximum compensation funded from the grant authorized herein. The term of the agreement will be for one year.

Grant funding of \$106,341 will be anticipated and included in the 2020-21 Budgets of the Department of Recreation and Youth Services and Undistributed Expenses, contingent upon approval, for staff costs associated with the City's role as lead agency, including one full-time employee, one part-time employee, and a portion of a supervisor's time. The remaining \$33,909 in grant funding will be accounted for in the Teenage Pregnancy Prevention Special Revenue Fund to cover non-personnel expenses such as educational supplies, printing, and office supplies, as well as indirect expenses.

The goal of the SRAE initiative is to enhance and/or expand prevention programs aimed at delaying the onset of adolescent sexual activity, decreasing the incidence of adolescent pregnancy, and promoting the optimal transition of youth ages 10-13 living in priority communities from middle childhood to adolescence fostering a transition to a healthy, productive, connected young adulthood. The SRAE initiative will support and enhance children and adolescents' social-emotional development and relationships, reduce racial, ethnic, economic and geographic health disparities while promoting health equity within the selected populations and communities. The program serves a total of 300 unduplicated youth and their caregivers each year.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-151
(Int. No. 174)

Appropriating funds and authorizing agreements for the Sexual Risk Avoidance Education 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 New York State Department of Health for the receipt and use of \$275,000 in grant funding for the operation of the Sexual Risk Avoidance Education Grant program (Program) for the July 1, 2020 through June 30, 2021 Program period.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Baden Street Settlement of Rochester, Inc. to provide services for the Program. The maximum compensation for the agreement shall be \$134,750, which shall be funded from the grant authorized in Section 1 herein. The term of the agreement shall be one year.

Section 3. Funds from the grant agreement in the amount of \$33,909 are hereby appropriated to the Teenage Pregnancy Prevention Special Revenue Fund to pay for non-personnel and indirect expenses relating to the Program.

Section 4. The grant agreement and professional services agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-152
Re: Agreement – Rochester City School District, Traffic and Crowd Control Services

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong neighborhoods

Transmitted herewith for your approval is legislation authorizing an Inter-municipal Agreement with the Rochester City School District (RCSD) for the receipt and use of \$50,000 for reimbursement of the cost of traffic and crowd control services provided by the Rochester Police Department.

RCSD has requested assignment of Police Officers on a reimbursable overtime basis for traffic and crowd control, or an events sponsored in part or in full by RCSD, such as football games, basketball games, graduation ceremonies, proms, and school dances. The agreement will provide for reimbursement by RCSD of the cost of these services, up to a maximum of \$50,000 during fiscal year 2020-21.

The term of the agreement is July 1, 2020 through June 30, 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-152
(Int. No. 175)

Authorizing an intermunicipal agreement with the School District for traffic and crowd control services

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District ("RCSD") in the maximum amount of \$50,000 for the reimbursement of traffic and crowd control services provided by the Rochester Police Department at events sponsored by the RCSD. The term of the agreement shall be from July 1, 2020 through June 30, 2021. The anticipated reimbursements from the RCSD under the agreement are hereby appropriated for the costs of providing such traffic and crowd control services.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:14 p.m.

HAZEL L. WASHINGTON
City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

June 16, 2020

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

Present –President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo – 9.

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

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

Retirement:

DES:

*Albert Marrapese Jr.

RFD:

*Stephen Morgan
*James Smallwood

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Lupien

RESOLVED, that the minutes of the Regular Meeting on May 12, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

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

Quarterly Report Schedule of Revenues and Expenditures – March 31, 2020 -4326-20

The Council submits Disclosure of Interest Forms from Councilmember Evans on Int. No. 201, Int. No. 204, Int. No. 205 and Int. No. 207. Councilmember Gruber on Int. No. 233. Councilmember Harris on Int. No. 224, Int. No. 233, Int. No. 234, Int. No. 238 and Int. No. 240.

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

Councilmember Gruber presented 71 signatures from Change.org, petitioning for making Rochester a more walkable city. - Petition No. 1769.

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on June 11, 2020 on the following matters:

Approving the 2020-24 Consolidated Plan, 2020-21 Annual Action Plan, and the Citizen Participation Plan Amended 2020 Int. No. 189
No Speakers

Determinations and findings relating to the acquisition of permanent water line easements over 275 East Avenue, 78 Rockwood Street, 80 Rockwood Street and 625 South Goodman Street Int. No. 196
No Speakers

Amending the Zoning Map for 1-5, 7-9, 11-15, 4-6, 8-8.5, and 10 Laura Street and 1240 and 1252 East Main Street Int. No. 202
No Speakers

Amending the Official Map and authorizing pavement changes to prohibit the use of motor vehicles and repurpose a portion of Laura Street
Int. No. 222
No Speakers

Approving geometric changes on Barrington Street related to Rochester City School District Francis Parker School No. 23 Int. No. 224
1 Speaker

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

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

By Councilmember Evans
June 16, 2020

To the Council:

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

- Int. No. 190 Authorizing submission of the 2020-24 Consolidated Plan, 2020-21 Annual Action Plan, and the Citizen Participation Plan Amended 2020 to the United States Department of Housing and Urban Development and the execution of grant agreements
- Int. No. 191 Authorizing an agreement for fireworks displays
- Int. No. 192 Authorizing an agreement to establish a public electric vehicle car share program
- Int. No. 193 Authorizing an agreement for economic development and urban entrepreneurship consulting services
- Int. No. 234 Revenue Anticipation Note Ordinance Delegating To The Director Of Finance The Powers To Authorize The Issuance Of \$100,000,000 Revenue Anticipation Notes Of The City Of Rochester, New York, Or So Much Thereof As May Be Necessary, In Anticipation Of The Receipt Of Certain Revenues For The Fiscal Year Ending June 30, 2021, And To Prescribe The Terms, Form And Contents, And Provide For The Sale Of Such Notes
- Int. No. 235 Authorizing competitive grant applications
- Int. No. 236 Resolution approving the 2020-21 debt limit for general municipal purposes with an exception for certain capital projects
- Int. No. 244 Revenue Anticipation Note Ordinance Delegating To The Director Of Finance The Powers To Authorize The Issuance Of Revenue Anticipation Notes Of The City Of Rochester, New York, In Anticipation Of The Receipt Of Certain State Aid Revenues, And To Prescribe The Terms, Form And Contents, And Provide For The Sale Of Such Notes

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

- Int. No. 189 Approving the 2020-24 Consolidated Plan, 2020-21 Annual Action Plan, and the Citizen Participation Plan Amended 2020

The following entitled legislation is being **HELD** in Committee:

- Int. No. 237 Adoption of the Budget estimates for municipal purposes for the 2020-21 fiscal year, appropriation of sums set forth therein and approving commercial refuse fees

- Int. No. 238 Adoption of the Budget estimates for school purposes for the 2020-21 fiscal year and appropriation of sums set forth therein
- Int. No. 239 Levying taxes for municipal purposes for the fiscal year commencing July 1, 2020 and expiring June 30, 2021
- Int. No. 240 Levying taxes for school purposes for the fiscal year commencing July 1, 2020 and expiring June 30, 2021
- Int. No. 241 Local Improvement Ordinance – Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2020 and expiring June 30, 2021
- Int. No. 242 Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2020 and expiring June 30, 2021
- Int. No. 243 Amending the Municipal Code with respect to parking fees

Respectfully submitted,
 Malik Evans
 LaShay D. Harris (*Abstained on Int. No. 234*)
 Michael A. Patterson
 Willie J. Lightfoot
 Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-153
 Ordinance No. 2020-154
 Re: 2020-2024 Consolidated Plan, 2020-21 Annual Action Plan, and Amended Citizen Participation Plan/Amended 2020

Council Priority: Rebuilding and Strengthening Neighborhoods; Jobs and Economic Development; Public Safety

Comprehensive Plan 2034 Priority: Strong Neighborhoods; Sustaining Green & Active Systems; Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation to:

1. Approve the 2020-2024 Consolidated Plan (“Plan”), the Annual Action Plan /Amended 2020 (2020-2021), and the Amended Citizen Participation Plan.
2. Authorize the submission of these documents to the U.S. Department of Housing and Urban Development (“HUD”).
3. Authorize agreements with HUD for the receipt and use of HUD funds to implement the Plan.

The Plan addresses HUD’s planning and application requirements for their formula grant programs, which include: the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). HUD requires jurisdictions to prepare multi-year strategic plans and annual action plans to guide use of HUD funds.

The Plan is a five-year strategic plan that identifies priority needs and goals for community and economic development. It covers the period from July 1, 2020 through June 30, 2025. The Annual Action Plan, which covers the period from July 1, 2020 to June 30, 2021, describes specific projects and activities that will be undertaken in the first program year to address priority needs and goals. The Citizen Participation Plan documents how the City intends to engage residents and stakeholders in the process of developing/amending consolidated planning documents.

The estimated total funds available for 2020-21 is \$14,757,629 from the following sources:

Community Development Block Grant (CDBG)	\$ 8,209,074
Home Investment Partnerships Program (HOME)	\$ 2,513,637
Emergency Solutions Grant (ESG)	\$ 708,965
Housing Opportunities for Persons with AIDS (HOPWA)	\$ 975,953
CDBG Program Income	\$ 1,500,000
HOME Program Income	\$ 850,000
	TOTAL \$ 14,757,629

The Annual Action Plan includes 27 projects that address issues such as affordable housing, community development, economic development, public facilities and infrastructure, youth development/employment, and a wide array of public services.

Significant allocation highlights of the Annual Action Plan (2020-2021) include:

- \$2,485,228 for the Affordable Housing Fund
- \$1,800,000 for Demolition Program
- \$1,065,374 for Housing Rehabilitation
- \$1,050,000 for DRY'S Play Apparatus
- \$946,674 for HOPWA
- \$708,965 for ESG
- \$500,000 for Residential Street Rehabilitation
- \$400,000 for Job Creation/Youth Development
- \$250,00 for Homebuyer Assistance

Community input was solicited at a public meeting on January 22, 2020 as well as during five stakeholder meetings conducted in January and February 2020. Draft documents were on display for 30 days on the 2020-2024 Consolidated Plan /Amended 2020 webpage on the City's website from April 25-May 24. A live virtual Q&A session with the public via Zoom and a dial-in phone conference was held on May 18.

A public hearing on the 2020-2024 Consolidated Plan /Amended 2020, 2020-2021 Annual Action Plan, and Amended Citizen Participation Plan is required.

Per SEQRA 617.5(c)(27), this action is classified as Type II.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-153
(Int. No. 189)

Approving the 2020-24 Consolidated Plan, 2020-21 Annual Action Plan, and the Citizen Participation Plan Amended 2020

WHEREAS, there is pending before this Council a 2020-24 Consolidated Plan (the Consolidated Plan) which identifies priority community and economic development needs and goals and proposes strategies to address those needs and goals for the federal program years 2020 through 2024, which for the City of Rochester encompasses the period from July 1, 2020 to June 30, 2025;

WHEREAS, there is pending before this Council a 2020-21 Annual Action Plan (the Action Plan) to be financed with \$ 14,757,629 available to the City of Rochester from the federal Community Development Block Grant (CDBG), Home Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), Housing Opportunities for Persons with AIDS (HOPWA), CDBG Program Income, and HOME Program Income;

WHEREAS, there is pending before this Council a Citizen Participation Plan Amended 2020 (the CPP);

WHEREAS, the Consolidated Plan, Action Plan, and CPP (collectively, the Plans) were prepared according to an approved Citizen Participation Plan, as modified upon public notice to comply with social distancing requirements, emergency orders issued by the State Governor and City Mayor and other exigencies created by the coronavirus pandemic, and the Plans reflect the public comments received and the consultations that were conducted;

WHEREAS, the City conducted an initial round of public engagement on the draft Plans in January-February 2020 to inform development of draft consolidated planning documents, which included a public meeting held on Wednesday, January 22, 2020;

WHEREAS, in a process publicized by a public notice published in the legal notices section of the Democrat & Chronicle on April 24, 2020 as well as on the City's project website, drafts of the Plans and summaries thereof were made available for public review and comment for a 30-day period extending from April 25, 2020 to May 24, 2020;

WHEREAS, on May 28, 2020, final drafts of the Plans were presented to the City Council and posted on-line through the City's project webpage;

WHEREAS, on June 11, 2020, the City Council conducted a public hearing that was streamed live on the Council's Facebook and YouTube internet pages wherein the members heard comments on the needs, strategies, and proposed actions contained in the Plans;

WHEREAS, the City Council has reviewed with City staff the needs, strategies and proposed actions that are set forth in the Plans;
and

WHEREAS, the City Council has reviewed the public comments and recommendations.

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

Section 1. The Council hereby approves the 2020-24 Consolidated Plan.

Section 2. The Council hereby approves the 2020-21 Annual Action Plan.

Section 3. The Council hereby approves the Citizen Participation Plan Amended 2020.

Section 4. The Mayor is hereby directed to prepare detailed programs and specifications for the various actions set forth in the approved Plan and to submit said actions to City Council for approval prior to implementation.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-154
(Int. No. 190)

Authorizing submission of the 2020-24 Consolidated Plan, 2020-21 Annual Action Plan, and the Citizen Participation Plan Amended 2020 to the United States Department of Housing and Urban Development and the execution of grant agreements

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

Section 1. The Mayor is hereby authorized to submit the 2020-24 Consolidated Plan, 2020-21 Annual Action Plan, and the Citizen Participation Plan Amended 2020 to the United States Department of Housing and Urban Development.

Section 2. The Mayor is hereby further authorized to provide any such information that may be required and to execute all necessary grant agreements with the United States Department of Housing and Urban Development for the Program Year beginning July 1, 2020.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-155
Re: Agreement - Young Explosives Corp., Fireworks Displays

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with Young Explosives Corp. (Jim Young, Principal), Brighton, New York, to provide fireworks displays. The term of the agreement is one year, and the cost will be funded from the 2020-21 Budget of the Bureau of Communications, contingent upon adoption of said budget.

The agreement will allow Young Explosives, Corp. to provide large and/or small scale aerial fireworks displays if and when the City's event programming requires it. At this time, no specific events are planned. However, this will provide the City with maximum flexibility to hold a display as time and conditions permit.

Young Explosives Corp. will be responsible for obtaining the necessary permits from the Fire Department and for acquiring the necessary liability insurance. To be licensed in the United States, all fireworks manufacturers and dealers must meet state and federal regulations stating that no persons under the age of 18 are employed; Young Explosives Corp. does not employ any persons below the age of 18. The company also has assured us that their domestic purchases come solely from licensed vendors.

An agreement for the same amount was authorized by Ordinance 2019-149 in June 2019.

A justification for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-88

Ordinance No. 2020-155
(Int. No. 191)

Authorizing an agreement for fireworks displays

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 Young Explosives Corp. to provide fireworks displays. The maximum compensation for the agreement shall be \$30,000, which shall be funded from the 2020-21 Budget of the Bureau of Communications, contingent upon approval. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evan, Harris, Lightfoot, Ortiz, Patterson, Peo -7

Nays – Councilmembers Gruber, Lupien – 2.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-156
Re: Agreement – Mobility Development Corp.

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Areas

Transmitted herewith for your approval is legislation establishing \$560,000 as total maximum compensation for an agreement with Mobility Development Corp. (Creighton Randall, CEO) of Chicago, Illinois, for services to plan, implement and operate a public electric vehicle car share in Rochester. The term of the agreement will be for three years with an option to renew for two additional one- year renewals. The agreement will be funded from the New York State Energy Research and Development Authority Plug-In Electric Vehicle Enabling Technology Development and Demonstration Program grant (\$300,000), authorized at the April 16, 2019 City Council meeting, Ordinance No. 2019-78 and the Federal Highway Administration Congestion Mitigation & Air Quality Improvement Program grant (\$260,000), authorized at the June 20, 2017 City Council meeting, Ordinance No. 2017-188.

The City of Rochester established the Rochester Shared Mobility Program in 2018, with the goal of delivering affordable and on-demand shared mobility options to residents, visitors, and businesses in Rochester. The program includes the expansion of car share services in Rochester. Car share is a service that places vehicles at designated spots for members to reserve, use and return as needed. Generally, service is available 24/7, membership fees are low, usage fees are charged on an hourly or daily basis, and the provider facilitates memberships. Members typically use vehicles for quality of life activities such as doctors' visits, grocery/retail-shopping trips, job interviews, and other appointments or activities. Through this project, the vendor will plan, implement, operate, and insure an electric vehicle car share system with at least ten vehicles and installation of two electric vehicle-charging stations. The project will prioritize introducing this service to low and moderate income markets.

Mobility Development Corp. was selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-89

Ordinance No. 2020-156
(Int. No. 192)

Authorizing an agreement to establish a public electric vehicle car share program

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 Mobility Development Operations, LLC to plan, implement and operate a public electric vehicle car share program in the city. The maximum compensation for the agreement shall be \$560,000 and said amount, or so much thereof as may be necessary, shall be funded in the amounts of \$300,000 from the New York State Energy Research and Development Authority's Plug-In Electric Vehicle (PEV)-Enabling Technology Development and Demonstration Program grant authorized in Ordinance No. 2019-78 and \$260,000 from the Federal Highway Administration's Congestion Mitigation and Air Quality Improvement program grant authorized in Ordinance No. 2017-188. The term for the agreement shall be 3 years with the option to renew for up to 2 additional periods of 1 year each.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-157

Re: Authorizing Agreement for Economic Development and Urban Entrepreneurship Consulting Services

Council Priority: Fostering Prosperity & Opportunity

Comprehensive Plan 2034 Initiative Area: Planning For Action

Transmitted herewith for your approval is legislation authorizing a professional service agreement with ogilvie & Associates LLC to provide strategic economic development and urban entrepreneurship consulting services. The amount of \$22,500 is authorized as maximum compensation for the agreement, which will be funded from 2020-21 Budget of the Office of the Mayor. The term of the agreement is for three months.

ogilvie & Associates LLC will provide expertise and guidance on various programs and activities related to economic development and urban entrepreneurship and represent the Mayor to various economic development organizations, including the ROC 2025, a new alliance of economic development organizations dedicated to making Rochester, New York one of the most dynamic and rapidly growing regional economies in the U.S. ogilvie also will collaborate on economic development and entrepreneurship projects with the Department of Neighborhood and Business Development (NBD), the Office of Community Wealth Building (OCWB) and City Council members.

Dr. ogilvie is the principal and sole proprietor of ogilvie & Associates LLC which maintains a mailing address at P.O. Box 10066, Newark, NJ 07101. Dr. ogilvie has a long history in Rochester and has unique and extensive experience with economic development strategy and implementation stemming from her tenure with the Rutgers University Business School, Rochester Institute of Technology (RIT), and her body of academic work. She supported the launch of the RIT Center for Urban Entrepreneurship. More recently in 2019 she assisted with the development of a strategic economic development plan for the future direction of NBD, the Rochester Economic Development Corporation, the OCWB and the Kiva Rochester Program that provides for synergies with other local economic development partners.

ogilvie & Associates LLC was chosen due to prior experience and organizational synergies that could not be found with another vendor. A No RFP Justification is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-90

Ordinance No. 2020-157
(Int. No. 193)

Authorizing an agreement for economic development and urban entrepreneurship consulting 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 in the maximum amount of \$22,500 with ogilvie & Associates LLC to provide economic development and urban entrepreneurship consulting services. The maximum compensation for

the agreement shall be \$22,500, which shall be funded from the 2020-21 Budget of the Mayor's Office, contingent upon approval. The term of the agreement shall be three months.

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 by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Peo - 8.

Nays – Councilmember Lupien – 1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-158

Re: Revenue Anticipation Note – City School District

City Council Priority: Deficit reduction and long term financial stability

Transmitted herewith for your approval is legislation authorizing the issuance of revenue anticipation notes in an amount not to exceed One Hundred Million Dollars (\$100,000,000). This legislation is proposed in accordance with resolution 2019-20:928 approved by the Rochester Board of Education on May 28, 2020.

The City periodically issues revenue anticipation notes for the District because of the difference between the times the District expends funds and when it receives funds from the State. The District usually expends funds at a fairly uniform rate over its fiscal year, however, it receives its allocation of state education aid, its major source of revenue, later in the fiscal year.

At present, a cash deficiency is projected for the end of August, 2020. In order to avoid such a deficiency a revenue anticipation note in an amount not to exceed One Hundred Million Dollars (\$100,000,000) is required, the exact amount of which will be determined at the time of issuance.

The NYS Local Finance Law 25.00(g) states that when a revenue anticipation note amount issued for -a fiscal year against a specific type of revenue equals the remaining amount of that revenue to be collected, then all of the revenue collected thereafter is to be set aside for repayment of the revenue anticipation note. Accordingly, the RCSD anticipates setting aside their general fund state aid payments received during the months of April and May to meet this requirement. The City's Finance Department will set up a separate account to segregate these funds to ensure repayment of the RCSD revenue anticipation note.

A note sale will be scheduled in August in order to maintain an adequate cash balance.

The Rochester City School District Resolution is attached to this item.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-91

Ordinance No. 2020-158
(Int. No. 234)

Revenue Anticipation Note Ordinance Delegating To The Director Of Finance The Powers To Authorize The Issuance Of \$100,000,000 Revenue Anticipation Notes Of The City Of Rochester, New York, Or So Much Thereof As May Be Necessary, In Anticipation Of The Receipt Of Certain Revenues For The Fiscal Year Ending June 30, 2021, And To Prescribe The Terms, Form And Contents, And Provide For The Sale Of Such Notes

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called "Notes") of the City of Rochester, in the State of New York (the "City" and "State", respectively), in the aggregate principal amount of not to exceed \$100,000,000 is hereby delegated to the Director of Finance, as chief fiscal officer of the City.

Section 2. The Notes shall be issued in anticipation of the collection or receipt of revenues due and payable to the Rochester City School District in the 2020-21 School District Fiscal Year from New York State Education Grants and Basic Formula Aid to Education; and the

proceeds of such Notes shall be used only for the purposes of paying the current expenses of the City School District for said fiscal year payable from the revenues in anticipation of which they are issued.

Section 3. The Notes shall mature no later than June 30, 2021.

Section 4. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the City, and the faith and credit of the City shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the City School District and a tax sufficient to provide for the payment thereof shall be levied and collected by the City.

Section 5. Subject to the provisions of this ordinance and the Law, and pursuant to Sections 50.00, 56.00, 60.00 and 168.00 of the Law, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Director of Finance, as chief fiscal officer of the City.

Section 6. The validity of the Notes authorized by this Ordinance 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 7. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record", a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber, Lightfoot, Lupien, Ortiz, Patterson, Peo - 8.

Nays –None- 0.

Councilmember Harris abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-159
Re: Competitive Grant Applications – Fiscal Year 2020-21

Council Priority: Deficit Reduction and Long Term Financial Stability
Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing certain competitive grant applications for the 2020-21 fiscal year. This legislation helps streamline the application process. Council has approved such grant applications annually since 2007.

There are hundreds of federal, state, regional, and private grant opportunities that the City qualifies for as a municipality. Frequently, granting agencies require City Council endorsement as part of the application process. Providing this "up front" approval will enable staff to respond to funding opportunities more quickly.

Grant applications will continue to require individual Council endorsement when:

- The City is required to pay more than \$250,000 of the cost of the project;
- The award exceeds \$1,000,000; or
- For capital projects, completion is required in one calendar year or less.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-159
(Int. No. 235)

Authorizing competitive grant applications

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

Section 1. The Mayor is hereby authorized to submit applications to Federal, State, and regional governments, agencies and authorities, as well as private foundations and other funding sponsors, for funding that will support City programs, services and capital operations.

Section 2. For successful award applications, the Mayor shall obtain City Council approval to enter into agreements for receipt of the funding and necessary professional services agreements for performance of the work, and for appropriation of the funds.

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

Section 4. Grant applications which obligate the City of Rochester to pay more than \$250,000 in City funding shall require City Council authorization.

Section 5. Applications for grants exceeding \$1,000,000 and awards for capital projects that require project completion in one calendar year or less shall require City Council authorization.

Section 6. The Director of Finance shall submit quarterly reports to Council for grants received through applications authorized herein, detailing dollar amounts received and expended.

Section 7. This ordinance shall be in effect for the 2020-21 fiscal year.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-24
Re: 2020-21 Debt Limit

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing the Debt Limit and Debt Rollover and Debt Extension amounts for the 2020-21 Budget.

2020-21 Debt Limit

The City's self-imposed Debt Limit for tax supported borrowing is equal to the amount of principal on outstanding debt to be redeemed during the fiscal year for which the limit is established. The calculation excludes the redemption of principal on any borrowing approved as an exception to the Debt Limit and is further reduced by specific revenues attributable to bonded debt. The resulting Debt Limit for 2020-21 is \$20,593,000.

Attached is the 2020-21 Debt Authorization Plan, which calls for borrowing of \$42,446,000 in tax supported funds. This includes an exception to the debt limit of \$21,853,000. Because of the COVID-19 pandemic and associated financial crisis, tax-supported cash capital was reduced significantly and many projects shifted to debt. In addition, large projects as well as ROC the Riverway projects impact the amount requested. These projects are critical for the long-term health of the City and several leverage outside funding. The amount of the debt limit exception requested can be achieved through the following projects: \$10,000,000 for the East Main Street RPD Section Office, which leverages a \$1,000,000 NYS grant; \$5,000,000 for renovations to the Joseph A. Floreano Riverside Convention Center, which leverages \$5,000,000 in NYS ROC the Riverway funding; \$2,500,000 for the replacement of the RFD Communications System; \$1,700,000 for renovations to the Blue Cross Arena at the Community War Memorial, being done in conjunction with \$7,000,000 in NYS grant-funded projects; \$1,300,000 for Police Vehicles; \$1,065,000 for Street Treatment; and \$288,000 for structural remediation of the Lake Riley Lodge. Furthermore, the Debt Authorization Plan includes an additional \$8,828,000 supported by the City's Water Fund.

Debt Rollover 2019-20 and 2018-19

The Debt Authorization Plans for the current and the two immediately prior fiscal years can remain open contingent upon the approval of the rollover amounts. This provides flexibility in the timing of authorizations which vary depending upon project timing, availability of supporting funds, and the participation of private sector partners. The rollover amounts equal the difference between the debt limit for any fiscal year and the sum of the authorizations made from the debt plan associated with that fiscal year. This sum may be further reduced by the amount of unauthorized items in the debt plan that are no longer necessary. The presentation of the rollover also includes any modifications made to the debt plan. Such rollovers do not result in authorizations exceeding the allowable authorization for any year.

2019-20: The tax supported borrowing request for this year was \$22,930,000. Of that amount \$9,372,000 has been authorized, leaving a balance of \$13,558,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan itemizes projects remaining for this year.

2018-19: The tax supported borrowing request for this year was \$19,997,000. Of that amount \$12,965,000 has been authorized, leaving a balance of \$7,032,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan itemizes projects remaining for this year.

Time Limit Extensions for 2017-18, 2016-17, 2015-16, 2013-14, 2012-13, and 2010-11

Time limit extensions are requested when projects are delayed beyond two years by market forces, significant reprogramming of funds, or other circumstances that justify carrying these authorizations beyond their expected authorization dates. Approval of extensions does not result in exceeding the allowable authorization for any fiscal year but is required by City Council Resolution. Extensions acknowledge the importance of these items as well as the fact that future replacement funds are not likely to be available. One-year extensions are requested for the following items based on programming and timing:

<u>2017-18 Project</u>	<u>Purpose</u>	<u>Amount</u>
T-1 131K South Avenue	street improvements	\$1,761,000
E-6 Investigation & Remediation – Vacuum Oil Refinery	contaminated sites w/in city	1,000,000
M-8 Police Section Office	facility improvements	1,000,000
E-6 Investigation & Remediation – Genesee Street	contaminated sites w/in city	700,000
S-1 Eastman Trail	trail improvements	250,000
M-8 Public Safety Building Lobby	facility improvements	239,000
T-6 Street Lighting – RGE System Separation	street improvements	130,000
E-6 Investigation and Remediation – Reynolds	contaminated sites w/in city	<u>40,000</u>
	Total 2017-18 Extension	\$5,120,000
<u>2016-17 Project</u>	<u>Purpose</u>	<u>Amount</u>
E-6 Investigation & Remediation – Vacuum Oil	contaminated sites w/in city	\$500,000
E-6 Investigation & Remediation – Jefferson Ave	contaminated sites w/in city	279,000
E-6 Investigation & Remediation – Genesee	contaminated sites w/in city	112,000
M-8 Police Section Offices	facility improvements	<u>7,000</u>
	Total 2016-17 Extension	\$898,000
<u>2015-16 Project</u>	<u>Purpose</u>	<u>Amount</u>
E-6 Vacuum Oil BOA Flint Street	contaminated sites w/in city	\$250,000
E-6 Vacuum Oil BOA River Trail	contaminated sites w/in city	<u>100,000</u>
	Total 2015-16 Extension	\$350,000
<u>2013-14 Project</u>	<u>Purpose</u>	<u>Amount</u>
E-6 Investigation and Remediation - Emerson	contaminated sites w/in city	\$505,000
E-8 Focused Investment	contaminated sites w/in the city	500,000
T-6 Street Lighting Improvements	street rehabilitation	<u>325,000</u>
	Total 2013-14 Extension	\$1,330,000
<u>2012-13 Project</u>	<u>Purpose</u>	<u>Amount</u>
E-6 Investigation and Remediation -	contaminated sites w/in city	<u>\$150,000</u>
	Total 2012-13 Extension	\$150,000
<u>2010-11 Project</u>	<u>Purpose</u>	<u>Amount</u>
E-6 Investigation and Remediation- Fire Academy	contaminated sites w/in city	<u>\$240,000</u>
	Total 2010-11 Extension	\$240,000

Each of these projects depends upon the partnership of developers and the cooperation of other governments. Like any business venture, delays are inevitable when financial or regulatory obstacles delay implementation. At the same time the City must continue to demonstrate its good faith by the continued availability of these authorizations.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-92

Resolution No. 2020-24
(Int. No. 236)

Resolution approving the 2020-21 debt limit for general municipal purposes with an exception for certain capital projects

WHEREAS, an important component of the City's expense budget and tax levy is debt; and

WHEREAS, the amount of debt outstanding is one of the major factors evaluated by credit agencies in the determination of bond rating; and

WHEREAS, control of the debt service expense and the amount of outstanding debt must necessarily be exercised through restrictions on bond and note authorizations; and

WHEREAS, bond ratings influence the rate of interest which must be paid on indebtedness and therefore the amount of debt service; and

WHEREAS, pursuant to the Debt Authorization Policy adopted by City Council in Resolution No. 81-4, exceptions to the debt limit policy are to be approved only for projects and purposes which could not reasonably be foreseen and, if not approved, would result in an obvious public danger or economic loss.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester, that it is the intent and policy of the City to limit the amount of bonds and notes authorized in fiscal year 2020-21 to \$20,593,000 for general municipal purposes.

BE IT FURTHER RESOLVED, unused authorizations from the debt limits for fiscal years 2018-19 and 2019-20 shall continue to be available, but no authorization included in the debt limit for a prior fiscal year, if not actually approved by the City Council, shall be carried-over and included in the limit for this fiscal year. By this resolution, the Council specifically approves inclusion for this fiscal year of unused authorizations from the debt limit for 2017-18 relating to hazardous waste investigation and remediation at contaminated sites including but not limited to Genesee Street, Reynolds Street, and Vacuum Oil Brownfield Opportunity area sites, South Avenue street improvements, police section offices, Eastman Trail, the Public Safety Building lobby improvements, and street lighting; 2016-17 relating to hazardous waste investigation and remediation at contaminated sites including but not limited to Genesee Street, Jefferson Avenue and Vacuum Oil Brownfield Opportunity area sites and police section offices; 2015-16 relating to hazardous waste investigation and remediation at contaminated City sites and Vacuum Oil Brownfield Opportunity Area sites; 2013-14 relating to hazardous waste investigation and remediation at contaminated City sites, street lighting, and focused investment; 2012-13 relating to hazardous waste investigation and remediation at contaminated City sites; and for 2010-11 relating to hazardous waste investigation and remediation at contaminated City sites.

BE IT FURTHER RESOLVED, that exceptions to this policy are to be approved only for projects and purposes which could not reasonably be foreseen and, if not approved, would result in an obvious public danger or economic loss; and for projects and purposes for which the debt issued therefor would be self-supporting.

BE IT FURTHER RESOLVED, that the sum of \$21,853,000 is hereby approved as an exception to the 2020-21 debt limit of the City established herein in order to fund a portion of the costs for the following capital projects: \$10,000,000 for the Goodman Section Rochester Police Department section office on East Main Street; \$5,000,000 for renovations at the Joseph A. Floreano Riverside Convention Center; \$2,500,000 for replacement of the Rochester Fire Department radio communications system; \$1,700,000 for renovations at the Blue Cross Arena at the Community War Memorial; \$1,300,000 for the replacement of Rochester Police Department vehicles; \$1,065,000 for street treatment; and \$288,000 for structural remediation at Lake Riley Lodge. These actions are being taken to leverage approximately \$13,000,000 in New York State grant funds that could be lost without the City's contribution to the funding of three of the aforementioned projects.

BE IT FURTHER RESOLVED, that to insure continued awareness of an adherence to this policy, each separate request for authorized debt shall be accompanied by a report in which the amount of debt actually authorized is compared to the amount of debt herein established as a limit.

BE IT FURTHER RESOLVED, that the redemption of any debt issued as an exception to a debt limit shall be excluded from the calculation of subsequent debt limits.

This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-160
Re: Revenue Anticipated Note – City of Rochester

City Council Priority: Deficit reduction and long term financial stability

Transmitted herewith for your approval is legislation authorizing the issuance of revenue anticipation notes for the City of Rochester in an amount not to exceed 110% of the City's "cumulative cash flow deficit," as provided by the Internal Revenue Code. The notes may be issued to provide temporary financing until the City of Rochester receives its scheduled State Aid Funding.

At present, absent State Aid, a cash flow deficiency is projected throughout the year. Borrowing through a Revenue Anticipation Note would be necessary in order to meet operating expenses while awaiting the receipt of the State Aid funding. The RAN would be repaid with the proceeds of the State Aid funding.

A note sale will be scheduled at the time required to maintain an adequate cash balance.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-160
(Int. No. 244)

Revenue Anticipation Note Ordinance Delegating To The Director Of Finance The Powers To Authorize The Issuance Of Revenue Anticipation Notes Of The City Of Rochester, New York, In Anticipation Of The Receipt Of Certain State Aid Revenues, And To Prescribe The Terms, Form And Contents, And Provide For The Sale Of Such Notes

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called "Notes") of the City of Rochester, in the State of New York (the "City" and "State", respectively) is hereby delegated to the Director of Finance, as chief fiscal officer of the City.

Section 2. The Notes shall be issued in anticipation of the collection or receipt of State aid revenues due and payable to the City of Rochester; and the proceeds of such Notes shall be used only for the purposes of paying the current expenses of the City for the fiscal year in which such revenues are anticipated, and shall be payable from the revenues in anticipation of which such Notes are issued. Such funds, upon receipt, shall be deposited in a designated special City account which shall be used solely for purposes of paying such Notes.

Section 3. The Notes shall be issued pursuant to Sections 25 and 51 of the Law in a principal amount not to exceed 110% of the City's "cumulative cash flow deficit" for the period issued, as provided by Section 148(f)(4)(B)(iii)(II) of the Internal Revenue Code of 1986, as amended. The Notes shall mature no later than one (1) year after issuance.

Section 4. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the City, and the faith and credit of the City shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the City and a tax sufficient to provide for the payment thereof shall be levied and collected by the City.

Section 5. Subject to the provisions of this ordinance and the Law, and pursuant to Sections 50.00, 56.00, 60.00 and 168.00 of the Law, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Director of Finance, as chief fiscal officer of the City.

Section 6. This Ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-161
Ordinance No. 2020-162
Ordinance No. 2020-163
Local Improvement Ordinance No. 1773
Ordinance No. 2020-164
Ordinance No. 2020-165

Re: Re: 2020-21 Budget

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the 2020-21 Budget. This legislation will:

1. Approve appropriations and establish revenue estimates for the City and City School District;
2. Authorize the tax levies required to finance appropriations for the City and City School District;
3. Authorize the budgets and related assessments for the Local Works program;
4. Confirm the assessments required for the following programs:
 - a. Street mall maintenance
 - b. Neighborhood parking lot operation
 - c. Public Market snow removal and security services
 - d. Street lighting and streetscape districts
 - e. Downtown Enhancement District
 - f. High Falls Improvement District
 - g. South Ave. Alexander St. Streetscape
 - h. Mt. Hope Streetscape
 - i. Upper East Alexander Entertainment-Refuse
5. Confirm the addition to the tax roll of various assessments, fees, and unpaid charges; and
6. Authorize certain fee increases and Charter and Code changes.

Details of the above actions related to the 2020-21 proposed budget of the City submitted to City Council on May 15, 2020 are summarized below:

1. Total appropriations of \$1,457,246,924 allocated for the City and the School District

	<u>Proposed 2020-21</u>	<u>Amended 2019-20</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 529,659,100	\$ 555,708,100	\$-26,049,000	-4.7
School	<u>927,587,824</u>	<u>934,197,659</u>	<u>-6,609,835</u>	<u>-0.7</u>
Total	\$1,457,246,924	\$1,489,905,759	\$-32,658,835	-2.2

Total non-tax revenue distributed between the City and the District:

	<u>Proposed 2020-21</u>	<u>Amended 2019-20</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 464,548,570	\$ 498,849,883	\$-34,301,313	-6.9
School	<u>814,442,824</u>	<u>820,457,159</u>	<u>-6,014,335</u>	<u>-0.7</u>
Total	\$1,278,991,394	\$1,319,307,042	\$-40,315,648	-3.1

2. Total tax levies of \$187,637,400 for the City and City School District

	<u>Proposed 2020-21</u>	<u>Amended 2019-20</u>	<u>\$ Difference</u>	<u>% Difference</u>
Tax Revenue	\$178,255,530	\$170,598,717	\$ 7,656,813	+4.49
Tax Reserve	<u>9,381,870</u>	<u>8,038,683</u>	<u>1,343,187</u>	<u>+16.71</u>
Tax Levy	\$187,637,400	\$178,637,400	\$ 9,000,000	+ 5.04

3. Total appropriations for the Local Works fund of \$20,988,100 and total assessments of \$20,483,700

	<u>Proposed 2020-21</u>	<u>Amended 2019-20</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Maintenance	\$ 4,341,001	\$ 5,474,580	\$ -1,133,579	-20.7
Sidewalk Repair	2,749,956	3,211,155	-461,199	-14.4
Roadway Plowing	10,083,119	8,794,402	1,288,717	14.7
Sidewalk Plowing	<u>3,309,624</u>	<u>3,008,863</u>	<u>300,761</u>	<u>10.0</u>
Total	\$20,483,700	\$20,489,000	\$ -5,300	0.0

4. Program Assessments

On April 14, 2020, the following budgets were approved: street lighting and streetscapes; street malls; Downtown Enhancement District; security and snow removal at the Public Market; East Avenue/Alexander Street Entertainment District; High Falls Business Improvement District; and the South Avenue/Alexander Street Open Space District. The budget for the special assessment district parking lots was approved on May 12, 2020. The assessments required are as follows:

	<u>Proposed 2020-21</u>	<u>Amended 2019-20</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Malls	\$ 34,157	\$35,411	-1,254	-3.5
Parking Lots	62,465	59,938	2,527	4.2
Public Market	50,037	49,687	350	0.7

Lighting and Streetscapes	42,118	42,261	-143	-0.3
Downtown Enhancement	660,500	646,900	13,600	2.1
High Falls	25,000	25,000	0	0.0
St. Paul Street Streetscape	0	20,649	-20,649	-100.0
South Ave Alexander Streetscape	8,900	8,900	0	0.0
Mt. Hope Streetscape	30,000	30,000	0	0.0
East/Alexander Entertainment	21,200	20,800	400	1.9

5. Proposed additions to the tax roll consist of the following charges:

	<u>Proposed 2020-21</u>	<u>Amended 2019-20</u>	<u>\$ Difference</u>	<u>% Difference</u>		
Delinquent Refuse	\$ 690,984	\$ 554,801	\$ 136,183	24.5		
Delinquent Water	5,926,764	5,835,825	90,939	1.6		
Code Enforcement	159,528				116,679	42,849 36.7
Supplemental and Omitted Taxes	351,740				631,918	-280,178 -44.3
Local Improvements	1,643				1,494	149 10.0
Demolitions	0				631,023	-631,023 -100.0
Encroachments	3,975				3,975	0 0.0
Rehabilitation	257,231				232,481	24,750 10.6
Code Violations	1,954,255				2,218,190	-263,935 -11.9

6. Fee increases and Charter and Code changes

6A. Amend the City Charter to transfer the Division of Planning from the Department of Neighborhood and Business Development in Article X to the Mayor’s Office in Article III.

6B. A local law is proposed allowing for a temporary, one-year exception for the Rochester City School District from the requirement per Section 3-9.1 D of the City Charter that the RCSD budget contain an amount of at least \$10,000,000 for Cash Capital. This is proposed as a temporary measure to provide RCSD with additional budgetary flexibility to balance its 2020-21 budget. Council authorized a similar exception for the district’s 2019-20 budget with Local Law #1 in December, 2019.

6C. Increases in parking garage rates are necessary to balance the Parking Fund, resulting in approximately \$388,600 additional revenue. Monthly general parking rates increase \$5 at Court Street, South Avenue, Crossroads, and Washington Square (excluding the Wadsworth Lot); \$8 for High Falls and Sister Cities; and \$10 for Mortimer and East End. Premium rates increase \$5 at Court Street and \$8 at Sister Cities. Increases to the reserved monthly parking rates are \$5 for Court Street and Washington Square. The residential rates increase \$10 at High Falls and \$14 at East End. The rate for the Kodak surface lot is eliminated due to the May 31, 2020 expiration of the contract with Kodak. The transient rate in all garages is proposed to change from \$2 for the first two hours to \$2 for each hour resulting in \$271,900 incremental revenue. The daily maximum for transient parking remains unchanged.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2020-161
 (Int. No. 237, as amended)

Adoption of the Budget estimates for municipal purposes for the 2020-21 fiscal year, appropriation of sums set forth therein and approving commercial refuse fees

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

Section 1. The budget estimate for municipal purposes for the fiscal year July 1, 2020 to June 30, 2021, providing for the expenditure of \$529,659,100, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for municipal purposes for the fiscal year 2020-21 are hereby authorized to be expended and the sum of \$529,659,100 is hereby appropriated for the current expenses of the departments and agencies; cash capital; debt service; and for the other purposes therein, in the manner provided by law, as listed below:

City Council and Clerk	\$2,412,500	
Administration	11,173,500	<u>11,043,600</u>
Neighborhood and Business Development	10,988,900	
Environmental Services	88,207,500	
Finance	11,468,500	
Information Technology	6,839,300	
Law	2,034,000	
Library	12,375,300	
Recreation and Youth Services	12,408,700	<u>12,538,600</u>

Emergency Communications	15,360,400	
Police	95,866,000	<u>95,116,000</u>
Fire	53,721,200	
Undistributed Expenses	148,843,600	
Contingency	2,787,800	<u>3,537,800</u>
Cash Capital	15,634,000	
Debt Service	39,537,900	
Sub-total	\$529,659,100	
Tax Reserve	3,426,870	
Total	\$533,085,970	

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes and the School Tax Relief (STAR) funds, for municipal purposes for the fiscal year 2020-21 is hereby fixed and determined at \$464,548,570 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2020-21 providing for raising the sum of \$68,537,400 in taxation on real estate for municipal purposes is hereby adopted.

Section 5. Pursuant to subsection 20-24B(1) of the Municipal Code, the Council hereby approves the fees for collection of commercial refuse and recyclables as proposed by the Mayor for fiscal year 2020-21.

Section 6. This ordinance shall take effect on July 1, 2020.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes- President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Peo -8

Nays – Councilmember Lupien – 1

Introductory No. 238

Adoption of the Budget estimates for school purposes for the 2020-21 fiscal year and appropriation of sums set forth therein

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

Section 1. The budget estimate for school purposes for the fiscal year July 1, 2020 to June 30, 2021, providing for the expenditure of \$927,587,824, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for school purposes for the fiscal year 2020-21 are hereby authorized to be expended and the sum of \$927,587,824 is hereby appropriated by the Board of Education for the following purposes:

Operations		\$841,562,501
Cash Capital		3,787,008
Debt Service		<u>82,238,315</u>
	Subtotal	927,587,824
Tax Reserve		<u>5,955,000</u>
	Total	\$933,542,824

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes, for school purposes for the fiscal year 2020-21 is hereby fixed and determined at \$814,442,824 and said sum is hereby appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2020-21 providing for raising the sum of \$119,100,000 in taxation on real estate for school purposes is hereby adopted.

Section 5. This ordinance shall take effect on July 1, 2020.

Failed by the following:

Ayes – Councilmember Evans -1

Nays – President Scott, Councilmembers Gruber, Lightfoot, Lupien, Ortiz, Patterson, Peo -7

Councilmember Harris abstained due to a professional relationship.

Ordinance No. 2020-162
(Int. No. 239)

Levying taxes for municipal purposes for the fiscal year commencing July 1, 2020 and expiring June 30, 2021

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

Section 1. The sum of \$68,537,400, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2020 and expiring June 30, 2021 the amount required to meet the budget estimates for municipal purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2020 and expiring June 30, 2021.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2020 and expiring June 30, 2021.

Section 3. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

Ordinance No. 2020-163
(Int. No. 240)

Levying taxes for school purposes for the fiscal year commencing July 1, 2020 and expiring June 30, 2021

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

Section 1. The sum of \$119,100,000, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2020 and expiring June 30, 2021 the amount required to meet the budget estimates for school purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2020 and expiring June 30, 2021.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2020 and expiring June 30, 2021.

Section 3. This ordinance shall take effect on July 1, 2020.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber Lightfoot, Lupien, Ortiz, Patterson, Peo-8

Nays – None -0

Councilmember Harris abstained due to a professional relationship.

Local Improvement Ordinance No. 1773
(Int. No. 241)

Local Improvement Ordinance - Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2020 and expiring June 30, 2021

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

Section 1. The Council finds and declares (1) that it is in the public interest to provide street cleaning, snow removal services on the streets and sidewalks, and the repair of hazardous sidewalks in the City of Rochester during the fiscal year from July 1, 2020 to June 30, 2021; (2) that the provision of such service benefits the properties abutting on such streets and sidewalks, and (3) that the cost of providing such services should be borne by the benefitted properties according to the benefit received by such properties.

Section 2. The Commissioner of Environmental Services shall cause the following improvements and work to be provided on streets, sidewalks and lots in the City of Rochester during the fiscal year July 1, 2020 to June 30, 2021:

- A. The removal of snow from such sidewalks and the repair of such hazardous sidewalks as the Commissioner may direct.

- B. The removal of snow and ice from the roadway of such streets as the Commissioner may direct, including the use of sodium chloride, calcium chloride, and other chemicals or abrasives for the treatment of slippery or icy pavement as deemed necessary by the Commissioner.
- C. The cleaning and/or flushing of such streets as the Commissioner may direct, including hand-cleaning, tank flushing, mechanical sweeping, and the collection and removal of brush, leaves, and debris.

Section 3. Such work shall be done by competitive contract, or by the Department of Environmental Services, as the Commissioner of Environmental Services deems appropriate.

Section 4. The cost of providing such street cleaning and street snow removal services for the 2020-21 fiscal year shall be assessed against all parcels of property that abut a street, reflecting the benefit to be derived by such parcels from such services. The cost of providing such sidewalk repair and snow removal services for the 2020-21 fiscal year shall be assessed against all parcels of property that abut a sidewalk, reflecting the benefit to be derived by such parcels from such services.

Section 5. The amount assessed shall be allocated among all benefited parcels in direct proportion to each parcel's street or sidewalk footage, defined for purposes of this ordinance as the full footage of the parcel along the street or sidewalk upon which it fronts, plus one-third of the footage along any other abutting streets or sidewalks. The Council hereby determines that such street or sidewalk footage represents the relative amount of benefit received by each such parcel.

Section 6. The total cost of such services to be assessed on July 1, 2020 shall be \$20,483,700.00 consisting of \$4,341,001.00 for street and lot maintenance, \$2,749,956.14 for sidewalk repair, \$10,083,118.39 for roadway snow removal and \$3,309,624.32 for sidewalk snow removal services. Such total amount constitutes an estimate of the amount necessary to pay contractors to provide services and to cover the costs of providing services with City crews between July 1, 2020 and June 30, 2021, less any miscellaneous revenues estimated to be collected during the same period, plus a reasonable reserve for uncollected assessments. All assessments collected shall be paid into the Local Works Fund, and all costs incurred shall be paid from such fund. The amounts assessed herein are appropriated for that purpose.

Section 7. The amount assessed on July 1, 2020 shall be billed on the tax bill and shall be due in one installment. Delinquent assessments collected more than 60 days into a fiscal year subsequent to the fiscal year billed shall be credited as revenue in the year collected and applied against costs in that fiscal year.

Section 8. This ordinance shall take effect on July 1, 2020.

Passed unanimously.

Ordinance No. 2020-164
(Int. No. 242)

Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2020 and expiring June 30, 2021

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

Section 1. The following assessments, amounts and charges, and the allocation of said amounts against properties in the City, as set forth in roll or rolls on file in the City Clerk's Office, to be inserted into the annual tax rolls for the fiscal year commencing July 1, 2020 and expiring June 30, 2021 are hereby in all respects confirmed:

Street and Lot Maintenance	\$4,341,001.00
Roadway Snow Removal	10,083,118.39
Sidewalk Snow Removal	3,309,624.32
Hazardous Sidewalk Repair	2,749,956.14
Delinquent Refuse	690,984.35
Delinquent Water Charges	5,926,764.49
Supplemental Taxes	351,740.29
Street Malls	34,157.00
Parking Lots	62,465.00
Code Enforcements	159,528.00
Code Violations	1,954,255.00
Downtown Enhancement	660,500.00
Public Market Plowing	6,237.95
Public Market Security	43,799.37
Encroachment Fees	3,975.00
Rehabilitation Charges	257,230.63
Wilson Blvd. Street Lights	555.63
Monroe Avenue Lights I	1,213.41
Monroe Avenue Lights and Sidewalk II	620.14

Norton Street Lights	1,363.84
Norton Street Streetscape	2,815.00
Cascade Lights	1,557.38
Cascade Streetscape	8,000.00
Lake Avenue Lights	4,022.56
High Falls Business Improvement District	25,000.00
St. Paul Street Lighting	521.99
Rundel Park Lighting	3,168.68
Upper East Alexander Refuse	21,200.00
East Main Street Lights	320.90
Browncroft Lighting	9,508.99
Nunda Boulevard Lighting	8,449.38
Mt. Hope Streetscape	30,000.00
South Avenue Open Space 1	4,441.42
South Avenue Open Space 2	4,458.58
Local Improvements	1,643.47

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-165
(Int. No. 243)

Amending the Municipal Code with respect to parking fees

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

Section 1. Subsection A(1) of Section 111-119 of the Municipal code, Fees for use of space in parking garages and hours of operation, as amended, is hereby further amended by amending subsection A(1) to read in its entirety as follows:

- (1) Short-term rates, which shall apply from 6:00 a.m. or 6:30 a.m. to garage closing, depending upon the garage schedule: \$2 for the first ~~two~~ hours, and \$2 for each hour thereafter, or any part thereof, up to the daily maximum.

Section 2. Subsection A(6)(a)-(h) of Section 111-119 of the Municipal Code is hereby further amended to read in its entirety as follows:

- (a) Court Street Garage: ~~\$100~~ \$105 for parking in the general area, ~~\$125~~ \$130 for parking in the reserved area, and ~~\$155~~ \$160 for parking in the premium area.
- (b) Genesee Crossroads Garage: ~~\$100~~ \$105.
- (c) High Falls Garage ~~\$97~~ \$105 for parking in the general area, \$130 for parking in the reserved area, ~~and \$85~~ \$95 for reserved residential parking, ~~and \$77 for parking in the Kodak surface lot located at 231 State Street.~~
- (d) South Avenue Garage: ~~\$100~~ \$105
- (e) Sister Cities Garage: ~~\$107~~ \$115 for parking in the general area and ~~\$132~~ \$140 for parking in the premium area.
- (f) Mortimer Street Garage: ~~\$80~~ \$90 for parking in the garage. Notwithstanding the parking rates established in this subsection, the Parking Director, subject to the approval of the Mayor, is authorized to establish a program allowing a parking discount reducing the monthly rate to \$25 in the Mortimer Street Garage for up to 50 members of the High Tech Rochester program.
- (g) Washington Square Garage: ~~\$100~~ \$105 for parking in the general area of the garage, ~~\$125~~ \$130 for parking in the reserved area of the garage, and \$33 for parking in the Wadsworth Square Lot.
- (h) East End Garage: ~~\$90~~ \$100 for general parking, ~~\$79~~ \$93 for residential parking, and \$44.80 for student parking.

Section 2. This ordinance shall take effect on July 1, 2020.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By Councilmember Patterson
June 16, 2020

To the Council:

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

Int. No. 194	Authorizing the sale of real estate
Int. No. 195	Authorizing agreements for appraisal services
Int. No. 197	Authorizing the acquisition by negotiation or condemnation of permanent water line easements over 275 East Avenue, 78 Rockwood Street, 80 Rockwood Street and 625 South Goodman Street
Int. No. 198	Authorizing funding for the Demolition Program
Int. No. 199	Appropriating funds for the Emergency Assistance Program
Int. No. 200	Authorizing funding and an amendatory agreement for the Housing Rehabilitation Program
Int. No. 201	Amending Ordinance Nos. 2019-171 and 2018-390 to increase funding for the Housing Rehabilitation Program
Int. No. 203	Authorizing funding and agreements relating to the 2020-21 Street Liaison Program
Int. No. 204	Appropriating funds and authorizing an agreement for Tenant and Landlord Services
Int. No. 205	Appropriating funds and authorizing agreements for Foreclosure Prevention program
Int. No. 206	Appropriating funds and authorizing agreements for HOME Rochester Program Management and Community Housing Development Organization (CHDO) Reserve program
Int. No. 207	Appropriating funds and authorizing agreements for the Homebuyer Training Program
Int. No. 208	Appropriating funds and authorizing agreements for the Housing Opportunities for Persons with AIDS program
Int. No. 209	Appropriating funds and authorizing an agreement for the Aging in Place program
Int. No. 210	Appropriating funds and authorizing an agreement for the Legal Services for Seniors program
Int. No. 211	Appropriating funds and authorizing agreements for the Emergency Solutions Grant program
Int. No. 212	Authorizing the sale of real estate and grant agreement with Flower City Habitat for Humanity, Inc.
Int. No. 213	Appropriating funds for the Business Development Financial Assistance Program
Int. No. 214	Authorizing an amendatory lease agreement with Bill Gray's Inc.
Int. No. 215	Appropriating funds and authorizing agreements for the Homebuyer Assistance Program
Int. No. 216	Appropriating Emergency Solutions Grant-Coronavirus funds and authorizing agreements for additional services for the homeless and those at risk of homelessness
Int. No. 217	Appropriating funds for Project Development Program
Int. No. 218	Amending Ordinance No. 2020-96 relating to the Pueblo Nuevo Phase I project

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

Int. No. 196	Determinations and findings relating to the acquisition of permanent water line easements over 275 East Avenue, 78 Rockwood Street, 80 Rockwood Street and 625 South Goodman Street
Int. No. 202	Amending the Zoning Map for 1-5, 7-9, 11-15, 4-6, 8-8.5, and 10 Laura Street and 1240 and 1252 East Main Street

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-166
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

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

The two properties are listed on the attached spreadsheet under the heading, I. Negotiated Sale – Improved Property. Each is being sold to the Rochester Housing Development Fund Corporation for an amount supported by an independent appraisal performed as of March, 2020 by Bruckner, Tillett, Rossi, Cahill and Associates. The Rochester Housing Development Fund Corporation will rehabilitate and sell each property to a first time homebuyer who will occupy the property as part of the Home Rochester program.

The first year projected tax revenue for these two properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,717.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-93

Ordinance No. 2020-166
(Int. No. 194)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcels with proposal to rehabilitate and sell to first time homebuyers:

Address	SBL#	Lot Size	Price	Purchaser
125 Chapin St	091.76-1-34	40 x 114	\$32,000	Rochester Housing Development Fund Corporation
167 Rockview Ter	105.55-2-7	41 x 92	\$30,000	Rochester Housing Development Fund Corporation

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-167
Agreements – Appraisal Services

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing maximum compensation in the amount of \$210,000 for agreements with the following firms for appraisal services. The cost of these agreements will be funded from the 2020-21, 2021-22 and 2022-23 Budgets of the Department of Neighborhood and Business Development upon approval. The term of these agreements will be for three years.

Firm	Yearly Maximum Compensation
Midland Appraisal Associates, Inc. Jay J. Loson, Principal 349 W. Commercial St, Suite 2290, East Rochester, NY	\$35,000
Bruckner, Tillett & Rossi, Inc. d/b/a Bruckner, Tillett, Rossi, Cahill & Associates Kevin L. Bruckner, Principal 500 Linden Oaks, Suite 130, Rochester, NY	\$35,000

These agreements are for Appraisal Services for commercial, industrial and residential property related to acquisitions, sales, easements and other property transactions.

These firms were selected through a Request for Qualifications process which is described in the attached Vendor Selection Form. The RFQ was issued March 13, 2020 and posted on the City website, emailed and mailed directly to firms.

The selection of firms was based on experience with the typical and specialized work required for the City and their familiarity with and location within the Rochester Metropolitan Statistical Area.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-94

Ordinance No. 2020-167
(Int. No. 195)

Authorizing agreements for appraisal services

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following firms for appraisal services as needed by the Department of Neighborhood and Business Development (NBD) in the annual maximum compensation amounts specified, not to exceed the total aggregate compensation of \$210,000, as follows:

Firm	Annual Maximum
Midland Appraisal Associates, Inc.	\$35,000
Bruckner, Tillett & Rossi, Inc.	\$35,000

Section 2. The cost of the agreements shall be funded from the 2020-21, 2021-22 and 2022-23 Budgets of NBD, contingent upon approval, and the agreements shall have a term of three years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-168
 Ordinance No. 2020-169

Re: Water Line Easement Acquisitions: 275 East Avenue, 78 Rockwood Street, 80 Rockwood Street, 625 S. Goodman Street

Council Priority: Rebuilding and Strengthening Neighborhoods

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation approving the acquisition of permanent easements by negotiation or condemnation over a portion of the properties in the included chart. This acquisition will be used for maintenance for existing water mains and/or fire hydrants. The funding source for acquisitions is the 2019-20 Budget of the Department of Environmental Services.

Property	Site Size	Easement SF	Zoning	Current Owner	Appraisal
275 East Ave	0.683 Acres	3615 SF	CCD-E	Union Sq Associates, LLC	\$ 3,600.00
78 Rockwood St	3.12 Acres	8000 SF	M-1	Lumber East LLC	\$ 10,400.00
80 Rockwood St	1.63 Acres	4800 SF	M-1	Boxman East LLC	\$ 6,250.00
625 S Goodman St	1.78 Acres	50 SF	C-2	Highland Grove, LLC	\$ 160.00

In the event that said easements cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for their acquisition. In the event of condemnation, the amounts set forth herein for the acquisitions shall be the amount of the offers. Nothing in this transmittal shall be deemed to limit in any way the liability of the City for further claims arising from the acquisition of said easements pursuant to the Eminent Domain Procedure law. Maximum acquisition amounts are supported through independent appraisal by Rachel Gaillard of Bruckner, Tillet, Rossi, Cahill & Associates in January, 2020.

A public hearing will be held pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisitions of these easements.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No AT-95

Ordinance No. 2020-168
 (Int. No. 196)

Determinations and findings relating to the acquisition of permanent water line easements over 275 East Avenue, 78 Rockwood Street, 80 Rockwood Street and 625 South Goodman Street

WHEREAS, the City of Rochester proposes to acquire permanent easements over portions of the parcels at 275 East Avenue, 78 Rockwood Street, 80 Rockwood Street and 625 South Goodman Street in order to allow the City to maintain existing water lines and fire hydrants, and

WHEREAS, the Council of the City of Rochester held a public hearing on June 11, 2020 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of these parcels.

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

Section 1. The Council hereby makes the following determinations and findings concerning the acquisition of permanent water line easements over 275 East Avenue, 78 Rockwood Street, 80 Rockwood Street and 625 South Goodman Street in order to maintain existing water lines and fire hydrants:

- A. Project description – the project includes acquisition of permanent easements over certain portions of the following parcels: 275 East Avenue (3615 square feet (sf)), 78 Rockwood Street (8000 sf), 80 Rockwood Street (4800 sf) and 625 South Goodman Street (50 sf).
- B. Project purpose – the acquisitions will be used to allow the City to maintain existing water lines.
- C. Project effect – the project entails the routine maintenance of existing water lines, an activity that does not require environmental impact review under the State Environmental Quality Review Act or City Code Chapter 48 Environmental Review.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-169
(Int. No. 197)

Authorizing the acquisition by negotiation or condemnation of permanent water line easements over 275 East Avenue, 78 Rockwood Street, 80 Rockwood Street and 625 South Goodman Street

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

Section 1. The Council hereby approves the acquisition of the permanent easements on portions of the following parcels for the maximum acquisition amounts indicated in order to allow the City to maintain existing water lines and fire hydrants:

Property	SBL #	Easement SF	Current Owner	Max. Amount
275 East Ave	121.25-2-43.002	3615 SF	Union Sq Associates, LLC	\$3,600
78 Rockwood St	122.58-1-15.1	8000 SF	Lumber East LLC	\$10,400
80 Rockwood St	122.58-1-5.2	4800 SF	Boxman East LLC	\$6,250
625 S Goodman St	121.65-2-39	50 SF	Highland Grove, LLC	\$160

The boundaries of each easement are as described in Exhibit A, which is annexed hereto.

Section 2. The acquisition shall obligate the City to pay an amount not to exceed \$20,410, and said amount, and necessary closing costs, shall be funded from the Water Bureau’s allocation of the 2019-20 Budget of the Department of Environmental Services.

Section 3. In the event that any of said easements cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for the acquisition of said easement. In the event of condemnation, the amount set forth herein for the acquisition shall be the amount of the offer. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisition of said easement pursuant to the Eminent Domain Procedure Law.

Section 4. This ordinance shall take effect immediately.

**EXHIBIT “A”
Descriptions of Permanent Easements to be Acquired**

**PORTION OF 275 EAST AVENUE
WATERMAIN EASEMENT**

ALL THAT TRACT OF PARCEL OF LAND, SITUATE IN THE CITY OF ROCHESTER, COUNTY OF MONROE, STATE OF NEW YORK AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE SOUTHERLY RIGHT OF WAY OF EAST AVENUE AT THE WESTERLY RIGHT OF WAY OF SOUTH UNION STREET, THAT POINT BEING THE NORTHEASTERLY CORNER OF TAX MAP PARCEL 121.25-2-43.1, AND AS DESCRIBED IN THE DEED FILED IN MONROE COUNTY CLERK’S OFFICE AT LIBER 11757 OF DEEDS, PAGE 395 (MAP NO. 3-C, PARCEL NO. 500); THENCE, N71°32’15”W ALONG THE SOUTHERLY RIGHT OF WAY OF EAST AVENUE A DISTANCE OF 74.85 FEET TO THE POINT OF BEGINNING; THENCE,

1. S20°34’08”W A DISTANCE OF 158.00 FEET TO A POINT; THENCE,
2. N69°10’58”W A DISTANCE OF 30.11 FEET TO A POINT ON THE EASTERLY BOUNDARY OF PARCEL R-14 AS SHOWN ON LIBER 222 OF MAPS PAGE 74; THENCE,
3. N20°49’02”E ALONG THE EASTERLY BOUNDARY OF PARCEL R-14 A DISTANCE OF 6.91 FEET TO A POINT; THENCE,
4. N23°35’17”E ALONG THE EASTERLY BOUNDARY OF PARCEL R-14 A DISTANCE OF 12.98 FEET TO A POINT; THENCE,
5. S69°10’58”E A DISTANCE OF 7.40 FEET TO A POINT; THENCE,
6. N20°34’08”E A DISTANCE OF 136.49 TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF EAST AVENUE; THENCE,
7. S73°54’02”E ALONG THE SOUTHERLY RIGHT OF WAY OF EAST AVENUE A DISTANCE OF 17.63 FEET TO A POINT; THENCE,
8. S71°32’15”E ALONG THE SOUTHERLY RIGHT OF WAY OF EAST AVENUE A DISTANCE OF 4.43 FEET TO THE POINT OF BEGINNING.

HEREBY INTENDING TO DESCRIBE A PARCEL OF LAND CONTAINING 0.083 MORE OR LESS ACRES OF LAND, ALL AS SHOWN ON A UTILITY PLAN ENTITLED "UNION SQUARE INNER LOOP SITE #3", LATEST REVISION, AS PREPARED BY PASSERO ASSOCIATES.

PORTION OF 78 ROCKWOOD STREET
20' WIDE WATERMAIN EASEMENT TO THE ROCHESTER WATER BUREAU

All that tract or parcel of land situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "LA Fitness - 78 Rockwood Street – 20' Wide Water Main Easement to the Rochester Water Bureau" prepared by Costich Engineering, dated 06/04/2019, having Drawing No. 6396-VE100, and being more particularly bounded and described as follows:

Commencing at a point on the southwest corner of lands now and formerly owned by Lumber East LLC having T.A. #122.58-01-15.1 and point on north right-of-way line of lands now and formerly owned by Lands of the People of New York State part of Interstate Route 490 and all as shown on the aforesaid map; thence

- A. N35°28'30"E, a distance of 28.18 feet to a point on the east right-of-way line of Rockwood Street; thence
- B. N42°18'30"E, along said east bounds of Rockwood Street a distance of 20.60 feet to a point and place of beginning.
 - 1. N42°18'30"E, along said east bounds of Rockwood Street a distance of 20.99 feet to a point; thence
 - 2. S65°23'56"E, a distance of 237.85 feet to a point; thence
 - 3. S59°35'55"E, a distance of 162.00 feet to a point; thence
 - 4. S35°28'41"W, a distance of 20.08 feet to a point; thence
 - 5. N59°35'55"W, a distance of 159.21 feet to a point; thence
 - 6. N65°23'56"W, a distance of 243.22 feet to the point and place of beginning.

PORTION OF 80 ROCKWOOD STREET
20' WIDE WATERMAIN EASEMENT TO THE ROCHESTER WATER BUREAU

All that tract or parcel of land situate in the City of Rochester, County of Monroe, State of New York, as shown on a map entitled "LA Fitness - 80 Rockwood Street – 20' Wide Water Main Easement to the Rochester Water Bureau" prepared by Costich Engineering, dated 06/04/2019, having Drawing No. 6396-VE101, and being more particularly bounded and described as follows:

Commencing at a point on the southeast corner of lands now and formerly owned by Lumber East LLC having T.A. #122.58-01-15.1 and southwest corner of lands now and formerly owned by Eidman Properties 80 having T.A. #122.58-01-15.2 and all as shown on the aforesaid map; thence

- A. N35°28'41"E, a distance of 60.52 feet to a point and place of beginning.
 - 1. N35°28'41"E, a distance of 20.08 feet to a point; thence
 - 2. S59°35'55"E, a distance of 110.14 feet to a point; thence
 - 3. S55°47'27"E, a distance of 132.14 feet to a point on the west right-of-way of lands now and formerly owned by Lands of the People of New York State part of Interstate Route 590; thence
 - 4. S81°21'47"W, along the west right-of-way of lands now and formerly owned by Lands of the People of New York State part of Interstate Route 590, a distance of 29.41 feet to a point; thence
 - 5. N55°47'27"W, a distance of 109.91 feet to a point; thence
 - 6. N59°35'55"W, a distance of 111.25 feet to a point and place of beginning.

PORTION OF 625 SOUTH GOODMAN STREET
UE-1 UTILITY EASEMENT TO THE CITY OF ROCHESTER

All that tract or parcel of land containing 50 square feet, situate in the City of Rochester, County of Monroe, State of New York, all as shown on a map entitled "625 S. Goodman Street, Utility Easement Map", prepared by Stantec Consulting Services Inc., dated August 20, 2018, having drawing number 192800056 V-1 and being more particularly bounded and described as follows:

Commencing at the point of intersection of the northerly right-of-way line of Uhlen Place (38' wide right-of-way) and the northwesterly right-of-way line of Karges Place (36' wide right-of-way); thence

- A. Southwesterly, along the last-mentioned right-of-way line, a distance of 84.00 feet to the Point of Beginning; thence

1. Northwesterly, at a right angle (90°) to Course A above, a distance of 5.00 feet to a point; thence
2. Southwesterly, parallel with Course A above, a distance of 10.00 feet to a point; thence
3. Southeasterly, at a right angle (90°) to Course A above, a distance of 5.00 feet to a point on the aforementioned northwesterly right-of-way line of Karges Place; thence
4. Northeasterly, along the said right-of-way line, a distance of 10.00 feet to the Point of Beginning.

This easement is subject to any existing easements or other encumbrances of record.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-170
Re: Appropriation – Demolition Program– 2020-21 Annual Action Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Demolition Program described in the Consolidated Plan/2020-21 Annual Action Plan. This legislation will appropriate \$1,800,000 of Community Development Block Grant funds from the 2020-21 Annual Action Plan, Demolition Program allocation.

These funds will allow the City to continue its demolition program. Demolition includes City-owned and privately-owned structures. These funds will remove approximately 100 residential properties over the next 12 months.

The demolition program has been running for over 30 years. Over the past five years a total of 623 properties.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-170
(Int. No. 198)

Authorizing funding for the Demolition Program

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

Section 1. The Council hereby appropriates \$1,800,000 from the Demolition Program allocation of the 2020-21 Annual Action Plan, contingent upon the adoption of said Plan, for the Demolition Program (Program) to continue the removal of vacant, derelict and fire damaged structures in the City of Rochester.

Section 2. The Mayor is hereby authorized to enter into agreements with recipients and to execute such other documents as may be necessary to implement the Program. All such agreements shall be contingent on compliance with federal regulations and shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-171
Re: Appropriation – Emergency Assistance Program – 2020-21 Annual Action Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Emergency Assistance Program described in the Consolidated Plan/2020-21 Annual Action Plan. This legislation will appropriate \$200,000 of Community Development Block Grant funds from the 2020-21 Annual Action Plan, Emergency Assistance Program allocation.

The program provides financial assistance to eligible owner- occupants to address emergency situations related to replacement of furnace/boiler, hot water tanks and other emergencies (e.g. electrical, plumbing). The funds will assist approximately 100 households. The City will continue to use its existing term agreements with the various service providers to perform the necessary work.

Owners must be current with City and Monroe County property taxes and not be subject to tax or mortgage foreclosure. Household incomes must be at or below 80% of the Housing and Urban Development (HUD) area median income to be adjusted annually.

Since the program began in 2014, a total of 363 furnaces and 182 water tanks have been replaced.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-171
(Int. No. 199)

Appropriating funds for the Emergency Assistance Program

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

Section 1. The amount of \$200,000 is hereby appropriated from the Emergency Assistance Program allocation of the 2020-21 Annual Action Plan, contingent upon the adoption of said Plan, for the City's use to operate the Emergency Assistance Program (Program) to assist eligible homeowners to replace a heating furnace/boiler, hot water tank or to address another emergency.

Section 2. The Mayor is hereby authorized to enter into agreements with recipients and to execute such other documents as may be necessary to implement the Program. All such agreements shall be contingent on compliance with federal regulations and shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-172
Re: Appropriation and Amendatory Agreement – Housing Rehabilitation Program – 2020-21 Annual Action Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Housing Rehabilitation Program described in the Consolidated Plan/2020-21 Annual Action Plan. This legislation will:

- 1) Appropriate \$1,065,374 of Community Development Block Grant funds from the 2020-21 Annual Action Plan, Housing Rehabilitation Program allocation to operate the program; and
- 2) Amend an agreement with Environmental Testing & Consulting, Inc. (ETC), David P. Majewski, owner, PO Box 466, Batavia, NY 14021, authorized by Ordinance No. 2019-361 to increase the maximum amount of compensation by \$70,000 to a new total of \$245,000 to provide lead based paint evaluation services for the City's Housing Rehabilitation Program to be funded from the appropriation made in No. 1 above. The term of the agreement will be extended through June 30, 2021 with the option to extend for two additional years if funding remains in the agreement.

The program provides financial assistance to eligible owner-occupants who own a 1-4 family residential structure. The funds will be allocated in the following manner: to support areas where housing development projects are located; areas where the most gain can be achieved as per the Housing Market Study; and to mitigate blight and hazards city-wide. The funds will assist approximately 45 properties.

Owners must be current with City and Monroe County property taxes and not be subject to tax or mortgage foreclosure. Household incomes must be at or below 80% of the Housing and Urban Development (HUD) area median income to be adjusted annually.

The program has been operating in various forms since 2000 utilizing a variety of funding sources. In the past five years, the CDBG Program has assisted 141 properties.

ETC was selected through an RFP process that was completed in October 2019 and has since performed to the City's satisfaction. A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted
Lovely A. Warren
Mayor

Attachment No. AT-96

Ordinance No. 2020-172
(Int. No. 200)

Authorizing funding and an amendatory agreement for the Housing Rehabilitation Program

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

Section 1. The Council hereby appropriates \$1,065,374 from the Housing Rehabilitation Program allocation of the 2020-21 Annual Action Plan, contingent upon the adoption of said Plan, for the City's use to operate its Housing Rehabilitation Program (Program).

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Environmental Testing & Consulting, Inc. to provide lead based paint evaluation services for the Program. The amendment shall increase the maximum compensation of the existing agreement, which was originally authorized by Ordinance No. 2019-361, by \$70,000 to a total amount of \$245,000. The amendatory compensation amount shall be funded from the appropriation in Section 1 herein. The amendatory agreement shall terminate on June 30, 2021, with the option to extend the term for up to 2 years if any of the funding allocated herein remains.

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

Section 4. The Mayor is hereby authorized to enter into agreements with recipients and to execute such other documents as may be necessary to implement the Program. All such agreements shall be contingent on compliance with federal regulations and shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-173
Re: Amendments and Re-appropriations–Housing Rehabilitation Program – 2019-20 and 2018-19 Annual Action Plans

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation to re-appropriate Community Development Block Grant (CDBG) funds from the 2019-20 and the 2018-19 Annual Action Plans. This legislation will amend Ordinance No. 2019-171 which authorized \$1,004,493 to operate the City's Housing Rehabilitation Program by adding \$60,025.53 to the program from the appropriation/re-appropriations made in 1-2 below:

- 1) Amend the Consolidated Community Development Plan/2019-20 Annual Action Plan by appropriating the remaining balance of \$39,868 from the Housing Repair Programs - Application Intake Services allocation for use in the City's Housing Rehabilitation Program; and
- 2) Amend the Consolidated Community Development Plan/2018-19 Annual Action Plan by re-appropriating the remaining balance of \$20,157.53 from the Housing Repair Programs - Application Intake Services allocation for use in the City's Housing Rehabilitation Program.

The appropriation being requested in #1 above represents funding that remained in the 2019-20 Annual Action Plan that was not used for application intake services.

The re-appropriation being requested in #2 above represents unused funding from an agreement with Action for a Better Community, Incorporated and PathStone Corporation for application intake services authorized through Ordinance No. 2018-390.

These funds will be added to the City's Housing Rehabilitation Program to provide financial assistance to eligible owner-occupants to address lead-based paint hazards and health and safety hazards. The program has been operating in various forms since 2000 utilizing a variety of funding sources. In the past five years, the CDBG Program has assisted 141 properties.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-173
(Int. No. 201)

Amending Ordinance Nos. 2019-171 and 2018-390 to increase funding for the Housing Rehabilitation Program

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

Section 1. Section 1 of Ordinance No. 2019-171 is hereby amended to read in its entirety as follows:

Section 1. The Council hereby appropriates \$1,004,493 from the Housing Repair/Rehabilitation Program project and \$39,868 from the Housing Repair Programs – Application Intake Services allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan, contingent upon the adoption of said Plan, for the City's use to operate its housing repair and rehabilitation programs (collectively, the Housing Rehab Program).

Section 2. Sections 1, 2 and 3 of Ordinance No. 2018-390 are hereby amended to read in their entirety as follows:

Section 1. The Council hereby appropriates ~~\$65,744~~ \$45,586.47 from the Housing Repair Programs-Application Intake Services fund of the Consolidated Community Development Plan/2018-19 Annual Action Plan to provide application intake services for the City's housing repair programs. The Council hereby appropriates \$20,157.53 from the Housing Repair Programs-Application Intake Services fund of the Consolidated Community Development Plan/2018-19 Annual Action Plan to the City's Housing Rehabilitation Program.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with PathStone Corporation for application intake services for the City's housing repair programs. The amendments shall increase the maximum compensation of the existing agreement authorized by Ordinance No. 2016-366 and as amended by Ordinance No. 2017-355, by ~~\$34,656~~ \$15,691.24 to a total amount of ~~\$136,338~~ \$117,373.24, and shall extend the existing agreement's term by 7 months. The amendatory agreement amount shall be funded from the appropriation in Section 1 above.

Section 3. The Mayor is hereby authorized to enter into an amendatory agreement with Action for a Better Community, Incorporated for application intake services for the City's housing repair programs. The amendments shall increase the maximum compensation of the existing agreement authorized by Ordinance No. 2016-366 and as amended by Ordinance No. 2017-355, by ~~\$31,088~~ \$29,895.23 to a total amount of ~~\$122,230~~ \$121,037.23, and shall extend the existing agreement's term by 7 months. The amendatory agreement amount shall be funded from the appropriation in Section 1 above.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance 2020-174

Re: Zoning Map Amendment –1-5, 7-9, 11-15, 4-6, 8-8.5, 10 Laura Street, and 1240 and 1252 East Main Street

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by:

- 1) rezoning the properties located at 1-5, 7-9, and 11-15 Laura Street from R-1 Low Residential District to C-2 Community Center District;
- 2) rezoning the properties located at 4-6, 8-8.5, 10 Laura Street and a portion of 1240 East Main Street from R-1 Low Density Residential District to R-2 Medium Density Residential District; and

- 3) rezoning the remaining portion of the property located at 1240 East Main Street and the property located at 1252 East Main Street by removing the O-O Overlay Office District.

This rezoning will facilitate the Rochester Police Department (RPD) – Goodman Section and Neighborhood Service Center (NSC) – Southeast Quadrant project. The proposed project site is located near the East Main Street and Laura Street intersection. It is comprised of twelve (12) City-owned properties. This project consists of the new construction of a 20,000 square foot, two (2) story building for the Goodman Section of the RPD and the Southeast Quadrant NSC. Improvements to the site also include public parking, secured parking for RPD officers, lighting, landscaping, pedestrian and bicycle access, utility infrastructure, and green infrastructure storm water practices. A rendering of the site is attached.

Once rezoned, the parcels will be re-subdivided into two (2) parcels on either side of Laura Street. This will create a 1.35 acre parcel to the west of Laura Street and a 0.71 acre parcel to the east.

The City Planning Commission held an informational meeting on May 11, 2020; there were No Speakers received in support of the project, and there were No Speakers received in opposition. By a vote of 7-0, the City Planning Commission recommended approval.

A companion item for an Official Map Amendment (OMA) has been submitted by the Department of Environmental Services. The OMA is to restrict vehicular traffic on a portion of the Laura Street right-of-way to create a pedestrian plaza as part of this project.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-97

Ordinance No. 2020-174
 (Int. No. 202)

Amending the Zoning Map for 1-5, 7-9, 11-15, 4-6, 8-8.5, and 10 Laura Street and 1240 and 1252 East Main Street

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the Zoning Map’s classification of the following land from R-1 Low-Density Residential District to C-2 Community Center District:

Address	SBL #
1-5 Laura Street	106.76-1-40
7-9 Laura Street	106.76-1-39
11-15 Laura Street	106.76-1-38

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

Section 2. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the Zoning Map’s classification of the following land from R-1 Low-Density Residential District to R-2 Medium-Density District:

Address	SBL #
4-6 Laura Street	107.69-1-93
8-8.5 Laura Street	107.69-1-94
10 Laura Street	107.69-1-95
A portion of 1240 East Main Street	107.69-1-91.002

and the area extending from those parcels to the center line of any adjoining public street, alley, or right-of-way. The portion of 1240 East Main Street reclassified herein shall consist of

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 50, 2nd Division, and being more particularly bounded and described as follows: Beginning at a point on the easterly ROW line of Laura Street (60’ ROW), 77.87 feet north of the northerly ROW line of East Main Street (66’ ROW), said point being the Point or Place of Beginning; thence

- 1) Westerly, parallel with said East Main Street, a distance of 30.0 feet to the centerline of said Laura Street; thence
- 2) Northerly, along said centerline, a distance of 47.13 feet to the westerly extension of the north line of Lot 28 of the Beachwood Subdivision, as filed in the Monroe County Clerk’s Office in Liber 7 of Maps, Page 22; thence

- 3) Easterly, along said extension and the north line of Lot 28, a distance of 72.52 feet to the northeast corner thereof; thence
- 4) Southerly, along the east line of said Lot 28, a distance of 47.13 feet to a point; thence
- 5) Westerly, parallel with said East Main Street, a distance of 42.52 feet to the said easterly ROW line of Laura Street, being the Point or Place of Beginning.

Section 3. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by removing the classification of O-O Overlay Office District for the following land:

Address	SBL #
A portion of 1240 East Main Street	107.69-1-91.002
1252 East Main Street	107.69-1-89

and the area extending from those parcels to the center line of any adjoining public street, alley, or right-of-way. The portion of 1240 East Main Street reclassified herein shall consist of

all that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 50, 2nd Division, and being more particularly bounded and described as follows: Beginning at the centerline intersection of East Main Street (66' ROW) and Laura Street (60' ROW), said intersection being the Point or Place of Beginning; thence

- 1) Northerly, along said centerline of Laura Street, a distance of 110.87 feet to a point; thence
- 2) Easterly, parallel with said East Main Street, a distance of 72.52 feet to the east line of Lot 28 of the Beachwood Subdivision, as filed in the Monroe County Clerk's Office in Liber 7 of Maps, Page 22; thence
- 3) Northerly, along said east line of Lot 28, a distance of 47.13 feet to the northeast corner thereof; thence
- 4) Easterly, along the north line of Lot 29 of said subdivision, a distance of 42.52 feet to the northeast corner thereof; thence
- 5) Southerly, along the east line of said Lot 29 and it's extension, a distance of 158.0 feet to the said centerline of East Main Street; thence
- 6) Westerly, along said centerline, a distance of 115.04 feet to the said centerline of Laura Street, being the Point or Place of Beginning.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes- President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Peo -8

Nays - Councilmember Lupien -1

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-175
Re: Agreements – Street Liaison – 2020-21 Annual Action Plan

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Street Liaison services described in the Consolidated Plan/2020-21 Annual Action Plan. This legislation will:

- 1) Appropriate \$80,000 of Community Development Block Grant funds from the 2020-21 Annual Action Plan, Street Liaison allocation to implement the program; and
- 2) Establish \$20,000 as maximum compensation for Street Liaison agreements in each of the four quadrants as follows:

Northeast Quadrant

- Action for a Better Community, Incorporated, \$15,000 (CEO: Jerome Underwood)
- Isla Housing and Development Corporation, \$5,000 (Executive Director: Sonia Nuñez)

Northwest Quadrant

- Highland Planning LLC, \$20,000 (Principal: Tanya M. Zwahlen)

Southeast Quadrant

- Highland Planning LLC, \$20,000 (Principal: Tanya M. Zwahlen)

Southwest Quadrant

- 19th Ward Community Association of Rochester, New York, Inc., \$20,000 (President: Zola Brown)

The mission of the Street Liaison is to provide outreach and assistance to businesses within the targeted commercial corridors found in their respective quadrants of the city of Rochester. This assistance is expected to result in increased business and community investment, retention of existing jobs, and the creation of new jobs. The Street Liaison may also contribute to additional business and community development efforts.

The above agencies were selected through an RFQ that was completed June in 2019. All selected agencies provided a satisfactory performance. To maintain their services, a new RFQ was not initiated. A Justification Statement for not issuing an RFP is attached.

The agreements will be in effect from July 1, 2020 through June 30, 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-98

Ordinance No. 2020-175
(Int. No. 203)

Authorizing funding and agreements relating to the 2020-21 Street Liaison Program

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

Section 1. The Council hereby appropriates \$80,000 from the Street Liaison allocation of the 2020-21 Annual Action Plan (Plan) to implement the Street Liaison Program, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into professional services agreements to obtain business development Street Liaison Program services for each of the City's four quadrants for the maximum compensation amounts as follows:

- for the Northeast Quadrant: with Action for a Better Community, Incorporated for \$15,000 and with Isla Housing and Development Corporation for \$5,000;
- for the Northwest Quadrant: with Highland Planning LLC for \$20,000;
- for the Southeast Quadrant: with Highland Planning LLC for \$20,000; and
- for the Southwest Quadrant: with 19th Ward Community Association of Rochester, New York, Inc. for \$20,000.

The agreements shall be funded from the appropriation in Section 1 herein, and the term for each agreement shall be from July 1, 2020 to June 30, 2021.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-176
Re: Appropriation and Agreement – Tenant and Landlord Services – 2020-21 Annual Action Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Tenant and Landlord Services described in the Consolidated Plan/2020-21 Annual Action Plan. This legislation will:

- 1) Appropriate \$100,000 of Community Development Block Grant funds from the 2020-21 Annual Action Plan, Tenant Landlord Services allocation to implement the program; and
- 2) Establish \$100,000 as maximum compensation for an agreement with the Legal Aid Society of Rochester, New York, Inc. (Principal: Carla Palumbo) to provide housing stabilization services to tenants and landlords. The term of the agreement will be one year and the cost will be financed from the appropriation herein.

The Legal Aid Society of Rochester, New York, Inc. will serve as lead agency in partnership with Legal Assistance of Western New York Inc. (Principal: C. Kenneth Perri) and The Housing Council at PathStone, Inc. (Principal: Susan Boss). The programs have been ongoing for over a decade. In the past five years, the program has assisted 1,248 tenants and 2,402 landlords. Services include:

- Training for landlords on operating rental property as a business, and compliance with fair housing quality standards; and
- Eviction prevention services for tenants to re-establish or maintain stable housing situations.

The City will enter into agreements for this program only with organizations that are in compliance with federal regulations. If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly. A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-99

Ordinance No. 2020-176
(Int. No. 204)

Appropriating funds and authorizing an agreement for Tenant and Landlord Services

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

Section 1. The sum of \$100,000 is hereby appropriated from Tenant and Landlord Services allocation of the 2020-21 Annual Action Plan (Plan), to operate a Tenant and Landlord Services Program, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with the Legal Aid Society of Rochester, New York, Inc. in a maximum amount of \$100,000 to provide housing stabilization services to tenants and landlords. The amount of said agreement, or so much thereof as may be necessary, shall be funded from the appropriation in Section 1 herein. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly. The agreement shall be for a term of one year.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall enter into agreements for these services only with organizations that are in compliance with federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-177
Re: Appropriation and Agreement – Foreclosure Prevention – 2020-21 Annual Action Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Foreclosure Prevention services described in the Consolidated Plan/2020-21 Annual Action Plan. This legislation will:

- 1) Appropriate \$148,600 of Community Development Block Grant funds from the 2020-21 Annual Action Plan, Foreclosure Prevention allocation for implementation of the program.
- 2) Establish \$129,300 as maximum compensation for The Housing Council at PathStone, Inc. (Principal: Susan Boss) and \$19,300 for Empire Justice Center (Principal: Kristin Brown) to provide foreclosure prevention services. The term of these agreements will be one year and the cost will be financed from the funds appropriated herein.

These two organizations are uniquely qualified and have been providing this service for two decades. The Housing Council at PathStone, Inc. is a U.S. Housing and Urban Development-approved Housing Counseling Agency with the capacity to handle a large volume of cases. The Housing Council's services include the review of households' financial circumstances and negotiation with lenders to resolve mortgage arrears. The Empire Justice Center is a leader in developing statewide standards for foreclosure prevention legal services. The Empire Justice Center

will provide legal advice and litigation services when required by analysis of clients’ circumstances. In the past five years 809 households have been served.

The City will enter into agreements for this program only with organizations that are in compliance with federal regulations. A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-100

Ordinance No. 2020-177
 (Int. No. 205)

Appropriating funds and authorizing agreements for Foreclosure Prevention program

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

Section 1. The sum of \$148,600 is hereby appropriated from the Foreclosure Prevention allocation of the 2020-21 Annual Action Plan (Plan) for implementation of a Foreclosure Prevention program, contingent upon adoption of the Plan.

Section 2. The Mayor is hereby authorized to enter a professional services agreement with The Housing Council at PathStone, Inc. in a maximum amount of \$129,300 to provide foreclosure prevention services.

Section 3. The Mayor is hereby authorized to enter into a professional agreement with Empire Justice Center in a maximum amount of \$19,300 to provide foreclosure prevention services.

Section 4. The amounts of said agreements, or so much thereof as may be necessary, shall be funded from the appropriation in Section 1 herein and the agreements shall be for a term of one year.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall enter into agreements for these services only with organizations that are in compliance with federal regulations.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2020-178
 Re: Appropriation and Agreement – HOME Rochester Program Management and Community Housing Development Organization (CHDO) Reserve 2020-21 Annual Action Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the HOME Rochester Program Management and Community Housing Development Organization (CHDO) Reserve programs described in the Consolidated Plan/2020-21 Annual Action Plan. This legislation will:

- (1) Appropriate a total of \$563,046 from the 2020-21 Annual Action Plan as follows:

Amount	Source	Purpose
\$186,000	2020-21 Community Development Block Grant (CDBG), HOME Rochester Program Management allocation	Program Operation
\$377,046	2020-21 HOME Investment Partnership Program (HOME) Funds, Community Housing Development Organization (CHDO) Reserve allocation	Development subsidies – incomes no more than 80% of Median Family Income (MFI)

- (2) Establish \$186,000 as maximum compensation for an agreement with Rochester Housing Development Fund Corporation (RHDFC: Principal Theodora Finn) for operation of the HOME Rochester program. The cost of the agreement will be financed from the CDBG funds appropriated herein.

- (3) Establish \$377,046 as maximum compensation for an agreement with RHDFC, a qualified CHDO, for the administration of development subsidies for families whose incomes are no more than 80% of MFI. The cost of the agreement will be financed from the HOME funds appropriated herein.

The City is required to reserve at least 15% of its annual HOME award to fund the development of affordable housing by non-profit CHDOs that must demonstrate to the City that they continue to meet U.S. Department of Housing and Urban Development (HUD) requirements pertaining to CHDOs.

The HOME Rochester Program provides for the acquisition and rehabilitation of vacant, single-family houses for resale to income-eligible households. RHDFC operates the HOME Rochester Program in partnership with the City, the Greater Rochester Housing Partnership, Inc. (GRHP; Principal Theodora Finn), and neighborhood based, non-profit developers. RHDFC buys vacant homes and oversees home rehabilitation for sale to first-time homebuyers. Since its inception in

2001, more than 775 properties have been rehabilitated and sold to first-time homebuyers. Rehabilitation includes efforts to provide and improve 'green' and energy efficiency activities to promote sustainability as well as cost savings for the low-moderate income households who reside in the home.

The total of \$377,046 HOME dollars proposed for development subsidies will provide an average of \$45,000 each for the acquisition and rehabilitation of approximately 8 vacant structures. The funds are a required match for the City's agreement with HUD for its Asset Control Area program as well as NYS's Affordable Housing Corporation subsidy program, both of which are used to mitigate the costs of acquisition and rehabilitation and reduce blight in the City of Rochester.

Properties rehabilitated through HOME Rochester will be marketed to families with incomes not exceeding 120% of AMI and the subsidy funds authorized herein will be used to support buyers with incomes at or below 80% of MFI (\$42,800 for a household of 1; \$61,100 for a household of 4). All purchasers are required to attend pre- and post-purchase homebuyer training classes and to reside in the properties for a minimum of 15 years.

These programs support the Housing Development Fund objective of the City Housing Policy.

Agreement term for the Operating Agreement will be for one year. The subsidy agreement term will be for two years, with an option to extend for an additional year if funds remain in the original appropriation. A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-101

Ordinance No. 2020-178
 (Int. No. 206)

Appropriating funds and authorizing agreements for HOME Rochester Program Management and Community Housing Development Organization (CHDO) Reserve program

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

Section 1. A total of \$563,046 is hereby appropriated from the following funding sources and project allocations of the 2020-21 Annual Action Plan, contingent upon the adoption of said Plan, to operate the HOME Rochester Program and to subsidize Community Housing Development Organization development projects as follows:

Amount	Source	Allocation	Purpose
\$186,000	2020-21 Community Development Grant (CDBG)	HOME Rochester Program Management	Program Operation
\$377,046	2020-21 HOME Investment Partnerships Program	Community Housing Development Organization (CHDO) Reserve	Development subsidies – incomes no more than 80% of the Area Median Income (AMI)

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Rochester Housing Development Fund Corporation (RHDFC) in the maximum amount of \$186,000 to administer the HOME Rochester Program. The agreement shall have a term of one year and shall be funded from the HOME Rochester Program Management funds appropriated in Section 1.

Section 3. The Mayor is hereby authorized to enter into an agreement with RHDFC, a qualified CHDO, for the administration of housing development subsidies totaling \$377,046 for families whose incomes are no more than 80% of AMI. The agreement shall be funded from the CHDO Reserve funds appropriated in Section 1. The term of the agreement shall be two years with the option to extend for up to 1 additional year if funds remain from the allocation provided for herein.

Section 4. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and RFDFC shall enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-179
Re: Agreements - Homebuyer Training Program

Council Priority: Rebuilding and Strengthening Neighborhoods

Comprehensive Plan: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Homebuyer Training Program to provide pre- and post-purchase training to recipients of City closing cost grants by the amounts authorized in Ordinance Nos. 2009-233, 2010-249, 2011-4, 2012-388, 2014-317, 2015-256, 2016-149, 2017-233, 2018-185, 2018-358 and 2019-177 totaling \$306,270.56, to continue to provide pre- and post-purchase training to all recipients of City closing cost grant.

This legislation will authorize agreements to implement the Homebuyer Training Program with the following organizations in the maximum aggregate amount of \$306,270.56:

- Neighborhood Housing Services of Rochester, Inc. DBA NeighborWorks Community Partners Rochester (Principal: Jerome Nagy)
- Consumer Credit Counseling Service of Rochester, Inc. (Principal: Jason Tracy)
- The Housing Council at PathStone, Inc. (Principal: Susan Boss)
- Urban League of Rochester, NY, Inc. a/k/a The Home Store (Principal: Seanelle Hawkins)

These providers were selected through a request for proposals process in March 2020, as described in the attached Request for Proposals Summary Report. In the past five years 932 households have purchased a home through the Homebuyer Services program. The proposed agreements will allow at least 610 households to receive homebuyer training. The term of the agreements will be for three years with the option to extend for two additional one-year terms.

The program supports the City Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

This program was last authorized by City Council on June 18, 2019 via Ordinance No. 2019-177.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-102

Ordinance No. 2020-179
(Int. No. 207)

Appropriating funds and authorizing agreements for the Homebuyer Training Program

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following organizations to provide homebuyer training services to recipients of City closing cost grants:

- Neighborhood Housing Services of Rochester, Inc.
- Consumer Credit Counseling Service of Rochester, Inc.
- The Housing Council at PathStone, Inc.
- Urban League of Rochester, NY, Inc.

Section 2. The maximum aggregate compensation for the agreements shall be \$306,270.56 and said amount, or so much thereof as may be necessary, shall be funded from the appropriations authorized in Ordinance Nos. 2009-233, 2010-249, 2011-4, 2012-388, 2014-317, 2015-256, 2016-149, 2017-233, 2018-185, 2018-358 and 2019-177.

Section 3. Each of the agreements shall have a term of 3 years with the option to extend for up to two additional periods of 1 year each.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-180
Re: Appropriation and Agreements – Housing Opportunities for Persons with AIDS (HOPWA) – 2020-21 Annual Action Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Housing Opportunities for Persons with AIDS (HOPWA) Program described in the Consolidated Plan/2020-21 Annual action Plan. This legislation will:

- 1) Appropriate \$946,704 of the Housing Opportunities for Persons with AIDS (HOPWA) fund from the 2020-21 Annual Action Plan, HOPWA allocation to implement the program; and
- 2) Establish \$568,022 as maximum compensation for an agreement with Trillium Health, Inc. (Andrea DeMeo, CEO) and \$378,682 with Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services (Lori VanAuken, Executive Director).

HOPWA provides housing assistance and services to prevent homelessness for individuals with HIV/AIDS and related complications, and their families. Assistance includes both long-term (over 21 weeks) and short-term services and financial assistance in the form of payments of mortgage, rent, and utilities. Both providers maximize HOPWA assistance through the coordination of other funding sources and service providers. The HOPWA grant from HUD is awarded to the City to serve Livingston, Monroe, Ontario, Orleans, and Wayne counties. Trillium Health provides service to the five-county area, Catholic Charities Community Services serves the City and Monroe County.

These two organizations are uniquely qualified for this special needs population. Both receive additional State and Federal HIV/AIDS- targeted funds, which provide for additional case management, housing placement, and other critical services. Both are active within the Rochester Area Task Force on AIDS that involves medical and support service providers and have a long-standing, close working relationship with each other.

Trillium Health, Inc. has participated in this program since the 1990’s and has served 503 individuals over the last five years. Catholic Charities has participated in this program for since the 1990’s and has served 333 individuals over the last five years.

If funds are different, not available, or prove to be less than originally advised, the agreement amounts and terms will be adjusted. The agreement terms will be for one year, with option to extend for an additional year if funds remain in the original appropriation.

The City will enter into agreements for this program only with organizations that are in compliance with Federal regulations.

HOPWA related legislation was last authorized on June 19, 2019 via Ordinance No. 2019-181. This legislation supports Section 4 of the City of Rochester Housing Policy: *Promote Housing Choice*. A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-103

Ordinance No. 2020-180
(Int. No. 208)

Appropriating funds and authorizing agreements for the Housing Opportunities for Persons with AIDS program

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

Section 1. The sum of \$946,704 is hereby appropriated from the Housing Opportunities for Persons with AIDS (HOPWA) allocation of the 2020-21 Annual Action Plan (the Plan) to implement a HOPWA program, contingent upon the adoption of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with the following organizations for the specified maximum compensation amounts to implement the HOPWA program:

Organization	Amount
Trillium Health, Inc.	\$ 568,022
Catholic Charities of the Diocese of Rochester	\$ 378,682
TOTAL	\$ 946,704

Section 3. The amounts of said agreements, or so much thereof as may be necessary, shall be funded from the appropriation in Section 1 herein. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly. The agreements shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and implementing organizations shall only enter into agreements for the HOPWA program with organizations that are in compliance with federal regulations.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-181
Appropriation and Agreement – Aging in Place – 2020-21 Annual Action Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing
Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation for the Aging in Place Program described in the Consolidated Plan/2020-21 Annual Action Plan. This legislation will:

- 1) Appropriate \$40,000 of Community Development Block Grant funds from the 2020-21 Annual Action Plan, Aging in Place allocation to implement the program; and
- 2) Establish \$40,000 as maximum compensation for an agreement with Lifespan of Greater Rochester, Inc. (Anne Marie Cook, President / CEO) to provide the services listed below.

The Aging in Place Program conducts residential safety evaluations to identify adaptations needed to support continued residence in a safe and comfortable environment. Further, the program provides selected home modifications and/or repairs which directly increase livability options in one’s own home.

The Steering Committee for Aging in Place in Rochester identified home modification as a key and economical method for helping older residents with changing needs to remain independent and safe at home in 2006. This program has served 1,500 individuals in the last five years and we anticipate approximately 400 will be served this year. Elderly City homeowners at 80% or less than the median area income as established and updated by HUD are eligible for the program.

The term of the agreement will be from July 1, 2020 to June 30, 2021. A Justification Statement for not issuing a Request for Proposals is enclosed.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-104

Ordinance No. 2020-181
(Int. No. 209)

Appropriating funds and authorizing an agreement for the Aging in Place program

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

Section 1. The sum of \$40,000 is hereby appropriated from the Aging in Place allocation of the 2020-21 Annual Action Plan (Plan) to implement an Aging in Place program, contingent upon the adoption of the Plan.

Section 2. The Mayor is hereby authorized to enter into an agreement with Lifespan of Greater Rochester, Inc. to implement the Aging in Place program, including residential safety evaluations and select home modifications or repairs to increase the livability in the homes of eligible recipients. The maximum compensation for the agreement shall be \$40,000 and said amount, or so much thereof as may be necessary, shall be funded from the appropriation in Section 1 herein. The term for the agreement shall be from July 1, 2020 to June 30, 2021.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-182

Re: Agreement – Legal Services for Seniors – 2020-21 Annual Action Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Legal Services for Seniors described in the Consolidated Plan/2020-21 Annual Action Plan. This legislation will:

- 1) Appropriate \$30,000 of Community Development Block Grant funds from the 2020-21 Annual Action Plan, Legal Services for Seniors allocation to implement the program; and
- 2) Establish \$30,000 maximum compensation for an agreement with the Volunteer Legal Services Project of Monroe County, Inc. (VLSP) (Tina M. Foster, Executive Director) to administer and manage the Helping Elders Law Project (HELP Project) utilizing pro bono services of local attorneys.

Attorneys will deliver services to elderly low-income city residents on-site at Rochester Housing Authority developments and other senior-centered meeting spaces in order to create wills, healthcare proxies / living wills, powers of attorney and funerary plans. VLSP has participated in this program since 2016 and has served 180 participants.

The cost of the agreement will be financed from the appropriation herein, and the term will be from July 1, 2020 to June 30, 2021. A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-105

Ordinance No. 2020-182
(Int. No. 210)

Appropriating funds and authorizing an agreement for the Legal Services for Seniors program

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

Section 1. The sum of \$30,000 in Community Development Block Grant (CDBG) funds is hereby appropriated from the Legal Services for Seniors allocation of the 2020-21 Annual Action Plan (Plan) to implement a Legal Services for Seniors program (Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with the Volunteer Legal Services Project of Monroe County, Inc. to administer and manage the Program for a maximum compensation of \$30,000, which shall be funded from the appropriation in Section 1 herein. The term for the agreement shall be from July 1, 2020 to June 30, 2021.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-183
Appropriation and Agreements – Emergency Solutions Grants – 2020-21 Annual Action Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Emergency Solutions Grants Program described in the Consolidated Plan/2020-21 Annual Action Plan. This legislation will:

- 1) Appropriate \$655,793 of Emergency Solutions Grants funds from the 2020-21 Annual Action Plan, Emergency Solutions Grants allocation to continue and expand services available to our homeless and at-risk of homelessness populations; and
- 2) Authorize an agreement with each of the providers listed below in the amounts specified to provide assistance to those who are homeless and/or at-risk of homelessness:

Organization	Principal	Award
Spiritus Christi Prison Outreach, Inc.	Jim Smith	\$40,782
Rochester Area Interfaith Hospitality Network, Inc.	Kim Hunt-Uzelac	\$48,394
Volunteers of America of Western New York Inc.	Lynn Sullivan	\$44,000
The Salvation Army of Greater Rochester	Major Douglas Hart	\$38,000
Catholic Charities of the Diocese of Rochester, dba Catholic Family Center	Marlene Bessette	\$84,000
Coordinated Care Services, Inc. (Coordinated Entry)	Anne Wilder	\$25,000
The Center for Youth Services, Inc.	Elaine Spaul	\$19,000
The Young Women’s Christian Association of Rochester and Monroe County, N.Y.	Angela Panzarella	\$42,000
Willow Domestic Violence Center of Greater Rochester, Inc.	Meaghan de Chateauvieux	\$31,469
Coordinated Care Services, Inc. (Rapid ReHousing)	Anne Wilder	\$154,148
Veterans Outreach Center, Inc.	Laura Stradley	\$40,000
Saving Grace Ministries of Rochester, Inc.	James Crowley	\$18,000
Person Centered Housing Options Inc.	Nicholas Coulter	\$33,500
Dimitri House, Inc.	Laurie Jones-Prizel	\$37,500
TOTAL		\$655,793

This program was last authorized by City Council on June 18, 2019 via Ordinance No. 2019-179. ESG provides housing and support services for individuals and families who are homeless or at risk of homelessness. Eligible activities include case management, support services, service coordination, shelter operations (staffing and operating costs) and addition of beds, financial assistance and related services for prevention of homelessness and rapid re-housing. The appropriation will fund street outreach, essential services and emergency shelter operations, homelessness prevention, and rapid rehousing.

The Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH) Emergency Solution Grants Program require grantees (City and County) collaborate with the community of homelessness service providers. To that end, funding priorities were jointly determined with Partners Ending Homelessness (formerly Rochester/Monroe County Continuum of Care - CoC). ESG Program Year 2020-21 providers were selected through a Request for Proposal (RFP) process. The RFP development and funding distribution decisions were conducted jointly with Monroe County. The RFP was issued February 25, 2020.

The City of Rochester and Monroe County have provided approximately \$3 million in ESG funding for these programs over the last five program years, and grantees have served the needs over 16,000 persons (2014-2019). Of that, approximately 40% were children, 6% were chronically homeless individuals, and just over 5% were veterans. It is anticipated that approximately 3,000 people will be served through ESG funded programs during program year 2020-21.

If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly. Agreement terms will be for one year, with the option to extend for an additional year if funds remain in the original appropriation.

Attached are summaries of the RFP process and agency services. This legislation supports the City Housing Policy’s Section 4: Promote Housing Choice.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-106

Ordinance No. 2020-183
 (Int. No. 211)

Appropriating funds and authorizing agreements for the Emergency Solutions Grant program

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

Section 1. The sum of \$655,793 is hereby appropriated from the Emergency Solutions Grant (ESG) allocation of the 2020-21 Annual Action Plan to implement an Emergency Solutions Grant program (ESG Program), contingent upon the adoption of said Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with the following organizations to provide ESG Program services to individuals and families who are homeless or at-risk for homelessness. The agreements shall obligate the City to pay an aggregate amount not to exceed \$655,793 with the maximum amount for each agreement being as follows:

Organization (Purpose)	Award
Spiritus Christi Prison Outreach, Inc.	\$40,782
Rochester Area Interfaith Hospitality Network, Inc.	\$48,394
Volunteers of America of Western New York, Inc.	\$44,000
The Salvation Army of Greater Rochester	\$38,000
Catholic Charities of the Diocese of Rochester	\$84,000
Coordinated Care Services, Inc. (Coordinated Entry)	\$25,000
The Center for Youth Services, Inc.	\$19,000
The Young Women’s Christian Association of Rochester and Monroe County, N.Y.	\$42,000
Willow Domestic Violence Center of Greater Rochester, Inc.	\$31,469
Coordinated Care Services, Inc. (Rapid ReHousing)	\$154,148
Veterans Outreach Center, Inc.	\$40,000
Saving Grace Ministries of Rochester, Inc.	\$18,000
Person Centered Housing Options Inc.	\$33,500
Dimitri House, Inc.	\$37,500
TOTAL	\$655,793

Section 3. The amounts of said agreements, or so much thereof as may be necessary, shall be funded from the appropriation in Section 1 herein. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly. The agreements shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-184
Sale of Real Estate and Grant Agreement with Flower City Habitat for Humanity, Inc.

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Flower City Habitat for Humanity, Inc.'s (Matthew Flanigan, President & CEO) single-family new-construction project, including the sale of City-owned real estate and authorization of a grant in the amount of \$100,000 for the construction of five (5) new, affordable, single-family homes in the City of Rochester.

This legislation will:

- 1) Authorize the sale of five (5) vacant parcels to Flower City Habitat for Humanity, Inc. (FCHH) for the development of single-family homes for first time home buyers.

<u>Address</u>	<u>Tax ID</u>	<u>Price</u>	<u>Lot Size (SF)</u>
383 Jay St	105.83-3-19	\$450	5,676
757-759 Jay St	105.81-3-18	\$450	5,348
226 Saxton St	105.83-3-43	\$400	4,024
79 Lime St	105.74-2-23	\$475	6,887
871 Smith St	105.82-1-45	\$400	3,840

- 2) Authorize an agreement in the amount of \$100,000 for a grant to Flower City Habitat for Humanity, Inc. and appropriate \$95,000 in HOME Program funds from the 2017-18 New Housing Construction program of the Housing Development Fund, and appropriate \$5,000 in HOME Program funds from the 2018-19 New Housing Construction program of the Housing Development Fund to fund the grant.

The term of the agreement is for two years, with a maximum grant amount of \$20,000 per home. The funds will be used to support the construction of single-family homes on the five (5) aforementioned lots.

The grant will be used as a subsidy to support construction of the five (5) owner-occupied single-family houses in and adjacent to the JOSANA neighborhood where the residents, together with the City and other stakeholders, completed a Neighborhood Master Plan in 2011. FCHH's new construction activity aligns with the diverse residential community goal identified in the Master Plan. FCHH has been building new, single-family housing in the JOSANA neighborhood for many years. They employ construction managers to oversee development, and utilize volunteers to construct the homes.

The new houses will be sold to families selected by an FCHH committee using the following criteria:

- Annual household income between 35% and 70% of the area median income.
- Minimum two years continuous history of employment or other income source.
- Demonstrated need as current housing is substandard, overcrowded, or a cost burden.
- No bankruptcy or discharge within last two years, and no open judgements or tax liens.
- Willingness to partner by contributing at least 300 hours of "sweat equity" (depending on household size), providing monthly proof of income and savings, providing a down payment and portion of closing costs, attending at least 7 required classes on financial literacy and home ownership, and agreeing to live in the house for at least 10 years.

The houses will be sold for appraised value (approximately between \$60,000 and 90,000) and FCHH provides a 30-year mortgage with a 0% interest rate.

A SEQRA review has been initiated and will be complete prior to the June Council Committee meeting. A NEPA review is underway and will be completed prior to entering into any agreements for the New Construction project.

A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-107

Ordinance No. 2020-184
(Int. No. 212)

Authorizing the sale of real estate and grant agreement with Flower City Habitat for Humanity, Inc.

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

Section 1. The Council hereby approves the negotiated sale of the following vacant parcels to Flower City Habitat for Humanity, Inc. with proposal to construct affordable single-family dwellings thereon:

Address	Tax ID	Price	Lot Size (SF)
383 Jay St	105.83-3-19	\$450	5,676
757-759 Jay St	105.81-3-18	\$450	5,348
226 Saxton St	105.83-3-43	\$400	4,024
79 Lime St	105.74-2-23	\$475	6,887
871 Smith St	105.82-1-45	\$400	3,840

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. The Mayor is hereby authorized to enter into a grant agreement with Flower City Habitat for Humanity, Inc. to support the construction of five affordable, single family dwellings on the vacant parcels conveyed pursuant to Section 1 herein. The maximum amount of the agreement shall be \$100,000, which shall be funded with \$95,000 in HOME Program Funds from the Housing Development Fund – New Housing Construction allocation of the Consolidated Community Development Plan/2017-18 Annual Action Plan and with \$5,000 in HOME Program Funds from the Housing Development Fund – New Housing Construction allocation of the Consolidated Community Development Plan/2018-19 Annual Action Plan. The term of the agreement shall be two years.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-185
Business Development Financial Assistance Program – 2020-21 Annual Action Plan

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Business Development Financial Assistance Program described in the Consolidated Plan/2020-21 Annual Action Plan. This legislation will:

- 1) Appropriate \$604,000 of Community Development Block Grant funds from the 2020-21 Annual Action Plan, Business Development Financial Assistance Program allocation to implement the program;
- 2) Appropriate \$50,000 of City Development Funds to implement the program; and
- 3) Authorize recipient agreements as necessary for use of these funds.

A summary of the results achieved over the past four years is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-108

Ordinance No. 2020-185
(Int. No. 213)

Appropriating funds for the Business Development Financial Assistance Program

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

Section 1. The sum of \$604,000 in Community Development Block Grant (CDBG) funds is hereby appropriated from the Business Development Financial Assistance Program allocation of the 2020-21 Annual Action Plan, contingent upon the adoption of said Plan, to implement a Business Development Financial Assistance Program (Program).

Section 2. The sum of \$50,000 in anticipated Urban Development Action Grant loan repayment funds and reversionary interest payments and interest is hereby appropriated from the City Development Fund to implement the Program.

Section 3. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Program authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-186
Re: Lease Amendment – Bill Gray’s Inc., 1000 N. River St, Port Terminal Building

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 a lease amendment between the City and Bill Gray’s Inc. (John Gonzalez, Principal Shareholder and Chief Executive Officer, 964 Ridge Road, Webster, NY) for the use of an additional 2,100 square feet of outdoor area which is currently unimproved, at 1000 North River Street, the Port of Rochester.

The current lease, authorized in April, 2018 through Ordinance No. 2018-90, and amended under Ordinance No. 2018-290 has a term of five (5) years with five (5) optional renewal terms of five (5) years each. The leased space is 5,696 square feet, with additional outdoor patio area for outdoor dining on the river side as well as the north side of the building. The current monthly rental amount is \$4,472.

Bill Gray’s Inc. intends to utilize this additional outdoor area, consisting of approximately 2,100 square feet of space, for an outdoor seating area for use by all patrons of the Port of Rochester, not exclusive to Bill Gray’s customers. Currently, the 2,100 square foot space is an unimproved grass area in which the tenant plans to pour & stamp a concrete patio and place picnic tables and benches. All expenses associated with the preparation and use of the additional outdoor area – including but not limited to paving, establishment or extension of utility service, equipment and/or furnishing, maintenance, and storage of equipment and materials when not in use – will be the responsibility of Bill Gray’s Inc.

The amended lease agreement will increase the base rent by \$210 annually (or \$17.50 per month for a new monthly rental amount of \$4,489.50). This amount was established by an appraisal prepared in April, 2020 by Kevin L. Bruckner, MAI, of Bruckner, Tillett, Rossi, Cahill & Associates, Inc. All other terms and conditions will remain the same.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-109

Ordinance No. 2020-186
(Int. No. 214)

Authorizing an amendatory lease agreement with Bill Gray’s Inc.

WHEREAS, the City of Rochester has received a proposal from Bill Gray’s Inc. to amend the lease authorized in Ordinance No. 2018-90 to lease an additional 2,100 square feet of outdoor space located at 1000 North River Street, the Port of Rochester;

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

WHEREAS, the Council has formally reviewed the independent appraisal of the value of the lease prepared by Kevin Bruckner, MAI of Bruckner, Tillett & Rossi, Inc.;

WHEREAS, the Council affirmatively finds that the proposed amendatory lease authorized herein is in the public interest because it will create an outdoor seating area for use by all patrons of the Port of Rochester; and

WHEREAS, the Council affirmatively finds that the term of such proposed amendatory lease, which will align with the term established in Ordinance No. 2018-90, is reasonable and necessary in light of the lease's intended purpose and that the public will benefit throughout that term.

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

Section 1. The Mayor is hereby authorized to enter into an amendatory lease agreement with Bill Gray's Inc. for the use of additional outdoor space located at the Port of Rochester. The amendatory agreement shall amend the lease agreement authorized in Ordinance No. 2018-90 so as to add 2,100 square feet of outdoor space to the leased area and increase the base rent by \$17.50 per month.

Section 2. The increase in rent shall be effective upon execution of the amendatory lease agreement by both Bill Gray's Inc. and the City of Rochester.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-187
Re: Appropriations and Agreements – Homebuyer Assistance – 2020-21 Annual Action Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Homebuyer Assistance Program described in the Consolidated Plan/2020-21 Annual Action Plan. This legislation will:

- 1) Appropriate \$250,000 from the HOME Investment Partnership Program (HOME) of the 2020-21 Annual Action Plan, Homebuyer Assistance allocation;
- 2) Appropriate \$50,000 from the 2020-21 City Development Fund; and
- 3) Authorize agreements with the recipients of Homebuyer Assistance funds for up to \$8,000 to purchase houses through the City's housing initiatives.

The Homebuyer Assistance Program provides financial assistance to eligible homebuyers who purchase houses through the City's housing initiatives, as described in the City's Annual Action Plan. The financial assistance provided by the Buyer Assistance Program is for closing costs and down payment. In the past five years 932 households have closed on a home with this assistance.

Homebuyer eligibility is based on income, ability to qualify for a conventional mortgage loan for which payments will not exceed 30% of the gross monthly income, and payment of personal funds in the amount of a minimum of \$1,500 towards the purchase of the home. Each buyer must complete a pre-purchase education class before closing and attend post-purchase classes.

The 2020-21 HOME allocation will serve approximately 80 eligible homebuyers with incomes of no more than 80% median family income (MFI) and approximately 16 households with incomes above 120% MFI whose employers are participating in the City's Employer Assisted Housing Initiative.

The program supports the City Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-187
(Int. No. 215)

Appropriating funds and authorizing agreements for the Homebuyer Assistance Program

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

Section 1. The sum of \$250,000 in HOME Investment Partnerships Program funds is hereby appropriated from the Homebuyer Assistance allocation of the 2020-21 Annual Action Plan, contingent upon the adoption of said Plan, to implement a Homebuyer Assistance Program (Program).

Section 2. The sum of \$50,000 in anticipated Urban Development Action Grant loan repayment funds and reversionary interest payments and interest is hereby appropriated from the City Development Fund to implement the Program.

Section 3. To implement the Program, the Mayor is hereby authorized to enter into an agreement with each recipient of Homebuyer Assistance Program funds in an amount up to \$8,000, to be funded from the appropriations in Sections 1 and 2 herein.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-188
Appropriation and Agreements – Emergency Solutions Grants CARES Act (ESG-CV) Program (Phase II) – 2019-20 Annual Action Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the continuation and expansion of eviction prevention, rapid rehousing, and supportive services projects funded through the City’s Emergency Solutions Grants CARES Act (ESG-CV) allocation of the Consolidated Plan/2019-20 Annual Action Plan (2019-20 Annual Action Plan). The funding source is the Emergency Solutions Grants CARES Act (ESG-CV). This legislation includes approval of agreements to provide a variety of homelessness prevention and supportive services for households and individuals affected by the COVID-19 pandemic.

This legislation will:

- 1) Appropriate \$1,165,768 from the ESG-CV/2019-20 Annual Action Plan to continue and expand services available to our homeless and at-risk of homelessness populations, in the amounts specified below;

Organization	Principal	ESG-CV
Catholic Charities of the Diocese of Rochester, dba Catholic Family Center	Marlene Bessette	\$755,842
Open Door Mission, Inc.	Anna Valeria-Iseman	\$295,514
The Salvation Army of Greater Rochester	Major Douglas Hart	\$19,297
Veterans Outreach Center, Inc.	Laura Stradley	\$15,115
Person Centered Housing Options Inc.	Nicholas Coulter	\$80,000
TOTAL		\$1,165,768

- 2) Authorize a new professional services agreement, or the amending of an existing professional service agreement, with each of the providers listed above to provide assistance to Households affected by the COVID-19 pandemic.

These funds will allow the grantees to continue and expand services for homeless and at-risk of homelessness populations. The ESG-CV Phase II funding prioritized homelessness prevention and rapid rehousing programs, both of which work to move persons in to safe, affordable, stable housing. Expense types to be funded include; rental assistance, security deposits, utility arrears, staffing to operate the programs, and ongoing case management.

The City’s funding announcement, award, and contract development processes have been expedited to get funding out to grantees as quickly as possible. Just over \$1 million of ESG-CV funding was awarded through Phase I, with the remaining funding awarded through this action. Coordination with other funding agencies is ongoing, to determine highest and best use of each funding source and to allow ESG-CV funds to target projects, programs, and populations with the greatest need and lowest resources. We will continue to work with Monroe County Office of Planning and Department of Human Services, the United Way, the Homeless Services Network, Partners Ending Homelessness (formerly Rochester/Monroe Continuum of Care) to monitor and deploy any future funding strategically.

The City of Rochester and Monroe County have provided approximately \$3 million in ESG funding to the community over the last five program years, and grantees have served the needs over 16,000 persons (2014-2019). Of that, approximately 40% were children, 6% were chronically homeless individuals, and just over 5% were veterans. It is anticipated that this funding will serve approximately 2,740 people.

If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly. Agreement terms will be program dependent, but range from 6 to 12 months, with the option to extend for up to an additional year if funds remain in the original appropriation. A Justification Statement for not issuing a Request for Proposals is attached.

This legislation supports the City Housing Policy’s Section 4: Promote Housing Choice.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-110

Ordinance No. 2020-188
(Int. No. 216)

Appropriating Emergency Solutions Grant-Coronavirus funds and authorizing agreements for additional services for the homeless and those at risk of homelessness

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

Section 1. The sum of \$1,165,768 is hereby appropriated from the Emergency Solutions Grant-Coronavirus (ESG-CV) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan as amended by Ordinance No. 2020-130 to continue and expand services for the homeless and those at risk of homelessness under the Emergency Solutions Grant Program (ESG Program).

Section 2. The Mayor is hereby authorized to enter into a new or amendatory professional services agreement with the following organizations to provide ESG Program services, with the maximum amount for each agreement being as follows:

Organization	Amount
Catholic Charities of the Diocese of Rochester, dba Catholic Family Center	\$755,842
Open Door Mission, Inc.	\$295,514
The Salvation Army of Greater Rochester	\$19,297
Veterans Outreach Center, Inc.	\$15,115
Person Centered Housing Options Inc.	\$80,000
TOTAL	\$1,165,768

The maximum amounts of said agreements, or so much thereof as may be necessary, shall be funded from the sum appropriated in Section 1. If funds are not available or are less than anticipated, the agreement amounts and terms shall be adjusted accordingly.

Section 3. The term of each agreement authorized in Section 2 shall range from 6 months to 1 year, depending on program requirements and on the preconditions applicable to the awards of ESG-CV and Community Development Block Grant-Coronavirus (CDBG-CV) relief funds under the federal Coronavirus Aid, Relief and Economic Security (CARES) Act. When permissible, an agreement may provide an option to extend the term for up to 1 additional year if funds from the original appropriation remain.

Section 4. The agreements authorized in Section 2 shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City and the provider agencies shall only enter into agreements with organizations that are in compliance with federal rules and regulations, including without limitation those issued pursuant to the CARES Act.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-189
Appropriation – Project Development Program – 2020-21 City Development Fund

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the continuation of the Project Development Program. This legislation will appropriate \$50,000 from the 2020-21 City Development fund for the Project Development Program.

Funding from this program will facilitate the development of residential and mixed use projects throughout the city. Funds may be used for engineering, architectural, environmental assessments, construction and other assistance. These funds will be used to assist up to three new developments over the next 12 months.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-189
(Int. No. 217)

Appropriating funds for Project Development Program

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

Section 1. The sum of \$50,000 in anticipated Urban Development Action Grant loan repayment funds and reversionary interest payments and interest is hereby appropriated from the City Development Fund to implement a Project Development Program (Program) to facilitate the development of residential and mixed use projects throughout the city.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Program authorized herein.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lighfoot, Ortiz, Patterson, Peo – 8

Nays – Councilmember Lupien – 1

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-190
Amend Ordinance No. 2020-96 –Pueblo Nuevo I – Affordable Rental Housing Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation to amend Ordinance No. 2020-96, which was authorized by City Council on April 14, 2020, related to Pueblo Nuevo I, the first phase of the larger Pueblo Nuevo affordable rental community project, being undertaken by Ibero-American Development Corporation (IADC) (Eugenio Marlin, Executive Director). Ordinance No. 2020-96 approved the sale of City-owned parcels, a payment in lieu of taxes (PILOT) and a loan for the project.

This legislation will amend Ordinance No. 2020-96 as follows:

- 1) Add to Section 1, which authorizes the sale of certain City-owned parcels to IADC for the Project, the sizes of each parcel;
- 2) Add to Section 4, which authorizes the Project PILOT agreement, two properties, 938 Clifford Avenue and 20 Hoeltzer Street, which are already owned by the project developer, IADC, and will be part of the project; and

- 3) Delete from Section 4 parcel sizes and price information that is not relevant to the PILOT Agreement.

All other terms of Ordinance No. 2020-96 remain the same.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2020-190
 (Int. No. 218)

Amending Ordinance No. 2020-96 relating to the Pueblo Nuevo Phase I project

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

Section 1. Section 1 of Ordinance No. 2020-96 is hereby amended to read in its entirety as follows:

Section 1. The Council hereby approves the sale of the following parcels of land at the following appraised values to Ibero-American Development Corporation (IADC) to develop the Phase I of the Pueblo Nuevo Affordable Rental Housing Project (the Project):

STREET ADDRESS	SBL NUMBER	SIZE	PRICE
12 HOELTZER ST	106.39-1-72.001	<u>75' x 194'</u>	\$ 4,800
24 HOELTZER ST	106.39-1-66.001	<u>75' x 99'</u>	\$ 500
36 HOELTZER ST	106.39-1-60.001	<u>68' x 133'</u>	\$ 500
44-46 HOELTZER ST	106.39-1-56.001	<u>60' x 133'</u>	\$ 500
60-64 HOELTZER ST	106.39-1-47.003	<u>80' x 133'</u>	\$ 900
21 KAPPEL PLACE-East Portion	106.38-2-30.001	<u>~72' x 81'</u>	\$ 700
5 KAPPEL PLACE	106.38-2-39.003	<u>144' x 80'</u>	\$ 875
765 NORTH CLINTON AVE	106.38-2-43	<u>48' x 145'</u>	\$ 3,500
769-71 N. CLINTON AVE-East Portion	106.38-2-42	<u>40' x ~437'</u>	\$ 3,900
10 SULLIVAN ST	106.30-2-32	<u>34' x 99'</u>	\$ 350
12 SULLIVAN ST	106.31-4-63.003	<u>58' x 99'</u>	\$ 450
29 SULLIVAN ST	106.39-1-13.002	<u>136' x 135'</u>	\$ 900
37 SULLIVAN ST-East Portion	106.39-1-18.002	<u>~60' x 137'</u>	\$ 525
51 SULLIVAN STREET	106.39-1-24.2	<u>210' x 167'</u>	\$ 2,500
59 SULLIVAN STREET	106.39-1-31.1	<u>70' x 167'</u>	\$ 1,200
Total of Sales Prices			\$ 22,100

Section 2. Section 4 of Ordinance No. 2020-96 is hereby amended to read in its entirety as follows:

Section 4. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT Agreement) with the Developer for the following parcels in order to effectuate the Project:

STREET ADDRESS	SBL NUMBER	SIZE	PRICE
<u>938 CLIFFORD AVE</u>	<u>106.33-2-46.009</u>		
<u>20 HOELTZER ST</u>	<u>106.39-1-68</u>		
12 HOELTZER ST	106.39-1-72.001	75' x 194'	\$ 4,800
24 HOELTZER ST	106.39-1-66.001	75' x 99'	\$ 500
36 HOELTZER ST	106.39-1-60.001	68' x 133'	\$ 500
44-46 HOELTZER ST	106.39-1-56.001	60' x 133'	\$ 500
60-64 HOELTZER ST	106.39-1-47.003	80' x 133'	\$ 900

21 KAPPEL PLACE-East Portion	106.38-2-30.001	72' x 81'	\$ 700
5 KAPPEL PLACE	106.38-2-39.003	144' x 80'	\$ 875
765 NORTH CLINTON AVE	106.38-2-43	48' x 145'	\$ 3,500
769-71 N. CLINTON AVE-East Portion	106.38-2-42	40' x 437'	\$ 3,900
10 SULLIVAN ST	106.30-2-32	34' x 99'	\$ 350
12 SULLIVAN ST	106.31-4-63.003	58' x 99'	\$ 450
29 SULLIVAN ST	106.39-1-13.002	136' x 135'	\$ 900
37 SULLIVAN ST-East Portion	106.39-1-18.002	60' x 137'	\$ 525
51 SULLIVAN STREET	106.39-1-24.2	210' x 167'	\$ 2,500
59 SULLIVAN STREET	106.39-1-31.1	70' x 167'	\$ 1,200
Total of Sales Prices			\$ 22,100

This PILOT Agreement shall provide that said parcels shall remain entitled to a real property tax exemption, provided that the Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By Councilmember Gruber
June 16, 2020

To the Council:

The **PARKS & PUBLIC WORKS committee** recommends for **Adoption** the following entitled legislation:

- Int. No. 219 Authorizing agreement for a Community Choice Aggregation Administrator
- Int. No. 220 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$240,000 Bonds of said City to finance the costs of environmental remediation improvements at the Rochester Fire Academy site in the City
- Int. No. 221 Authorizing a grant agreement for greenhouse gas inventory updates and a heat emergency plan
- Int. No. 223 Authorizing an agreement for the Lincoln Branch Library Reconfiguration Schematic Design
- Int. No. 225 Authorizing an appropriation and amending Ordinance No. 2019-201 for the State Street Reconstruction Project
- Int. No. 226 Authorizing an agreement for University Firehouse Truck Bay Alteration
- Int. No. 227 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$342,000 Bonds of said City to finance costs of the University Firehouse Truck Bay Alteration
- Int. No. 228 Authorizing agreements for the West River Wall Segment 1 Project
- Int. No. 229 Authorizing an intermunicipal agreement for the Resiliency and Economic Development Initiative projects along the east side of the Genesee River

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

- Int. No. 222 Amending the Official Map and authorizing pavement changes to prohibit the use of motor vehicles and repurpose a portion of Laura Street
- Int. No. 224 Approving geometric changes on Barrington Street related to Rochester City School District Francis Parker School No. 23

Respectfully submitted,
Mitch Gruber
Malik Evans
Jose Peo
Willie Lightfoot
Loretta C. Scott

PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-191

Re: Professional Services Agreement – Community Choice Aggregation Administrator

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing a no-cost professional services agreement with Joule Assets Inc. (Mike Gordon, CEO, 22 Edgemont Rd, Katonah, NY) for services related to the administration of the Community Choice Aggregation (CCA) program in the City of Rochester.

Local law No. 6 of 2019, passed by City Council on November 12, 2019 and adopted on December 3, 2019, authorized the establishment of a CCA program in the City of Rochester. One of the requirements of the CCA program is for the municipality to select a CCA Administrator to work with the City to fully develop and manage the CCA. The primary responsibilities of the CCA Administrator include the development of a CCA implementation plan, data protection plan, and at least two months of public outreach and engagement. There is no cost to the City for the services of the CCA Administrator. Fees for the CCA Administrator are remitted by the selected energy supplier, not by the City, and is not additive over and above the supply rate. Additionally, the City is not obligated to implement the CCA program until the energy supply contract procurement is initiated, which will occur after the development of the implementation plan, data protection plan and the public outreach and engagement period.

CCA been identified as an implementation action in the City of Rochester Community-wide Climate Action Plan (CAP), endorsed by City Council in May, 2017, and the Rochester 2034 Comprehensive Plan, adopted by City Council in November 2019. The CCA Administrator will play a key role in developing and implementing a local CCA program which is intended to provide city residents and small businesses with clean, renewable energy, save money on utility bills, foster economic development through increased energy efficiency and clean energy jobs, and provide significant greenhouse gas emissions reductions in Rochester.

The agreement will have an initial term of two (2) years with provisions for up to three one-year extensions based on mutual written agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-111

Ordinance No. 2020-191
(Int. No. 219)

Authorizing agreement for a Community Choice Aggregation Administrator

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 Joule Assets Inc. to serve as Administrator of the Community Choice Aggregation Energy Program in accordance with Sections 7-50 through 7-59 of the City Charter. The compensation for this agreement shall be derived from an administrative fee charged to participating consumers by the selected energy supplier at a rate to be negotiated between the Administrator and the supplier. The term of the agreement shall be two years with the option to extend for up to three additional periods of 1 year each.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-192
Re: Bond Authorization – Environmental Services, Rochester Fire Academy Inactive Hazardous Waste Disposal Site

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$240,000 and the appropriation of the proceeds thereof to finance environmental services, including environmental engineering services, waste water treatment services, and continued maintenance and technical support at the City of Rochester Fire and Police Training Academy facility located at 1190 Scottsville Road.

The Rochester Fire Academy (RFA) Site, located at 1190 Scottsville Road, consists of the North Disposal Area (NDA), Southern Disposal Area (SDA), Training Grounds Area (TGA), Police Obstacle Course and Police Firing Range (PFR). Since the early 1950s, the RFA was involved in decades of fire training activities involving chemical use resulting in significant soil and groundwater contamination. In 1983 the RFA site was designated by the New York State Department of Environmental Conservation (NYSDEC) as an Inactive Hazardous Waste Disposal Site (State Superfund Site). A series of remedial investigations of the Site was performed by the City in the late 1980's to mid-1990s under an order on consent with the NYSDEC. In 1993 the NYSDEC issued a Record of Decision (ROD) that required the City to complete remedial measures at the RFA site including excavation and treatment of contaminated soils and construction and operation of a groundwater treatment plant to prevent groundwater contamination from migrating into the adjacent Genesee River. While overall site cleanup project was completed in 1998, residual contamination still exists and long-term engineering and institutional controls were established by the NYSDEC. The NYSDEC RFA ROD also requires on-going inspections, groundwater sampling, and operations and monitoring activities including the operation of the groundwater treatment plant system which has been operated by the City since 1998.

The existing groundwater treatment system will likely need to be operated for several more decades, and the building and treatment system equipment and components and associated grounds will need to be maintained and updated on an as needed basis.

The environmental services funded under this bond authorization are anticipated to be initiated in the summer of 2020 and substantially completed in approximately five (5) years.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-112

Ordinance No. 2020-192
(Int. No. 220)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$240,000 Bonds of said City to finance the costs of environmental remediation improvements at the Rochester Fire Academy site in the City

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 the "City"), is hereby authorized to finance the cost of environmental remediation improvements to the Rochester Fire Academy Inactive Hazardous Waste Disposal Site at 1190 Scottsville Road in the City in accordance with an order on consent between the City and the New York State Department of Environmental Conservation, including the operation, maintenance and monitoring of a groundwater collection and treatment system and other long-term engineering and institutional controls required by NYSDEC. The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$240,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$240,000 bonds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient 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 \$240,000 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 improvement 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 \$240,000. 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 specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.6-e of the Law, is twenty (20) 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 of (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 Section 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, have 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. 2020-193
Re: Grant Acceptance–New York State Department of Environmental Conservation–Greenhouse Gas Inventory Updates and Heat Emergency Plan

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to updating municipal and community-wide greenhouse gas (GHG) emissions inventories and developing a heat emergency plan (the Project) for the City of Rochester. This legislation will:

1. Authorize the Mayor to enter into a grant agreement with the New York State Department of Environmental Conservation (NYSDEC); and,
2. Authorize the receipt and use of \$62,500 in anticipated grant funds from the NYSDEC to finance the Project.

In December 2019, the City was awarded \$62,500 in grant funds through the NYSDEC Climate Smart Communities (CSC) Program, which provides communities funding to conduct climate-related projects. The new GHG inventories will update previously completed GHG inventories and evaluate progress toward the City’s Climate Action Plan emissions reduction goals of 20% by 2020. The heat emergency plan will increase heat safety awareness and reduce negative public health impacts that can occur during high-heat events, which are anticipated to increase in our region as a result of climate change.

Once the grant agreement with the NYSDEC is in place, the City will issue an RFP to select a consultant to assist in the development of the Project. The required 50% City cost share will be funded with in-kind City staff time and energy program income. The term of the grant agreement is up to five (5) years.

Developing municipal and community-wide GHG emissions inventories and a heat emergency plan will help the City to reduce GHG emissions and prepare for climate change impacts, creating a sustainable community, ready for continued growth and vibrancy.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-193
(Int. No. 221)

Authorizing a grant agreement for greenhouse gas inventory updates and a heat emergency plan

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Environmental Conservation for the receipt and use of grant funds in the amount of \$62,500 for an update to municipal and community-wide greenhouse gas emissions inventories and the development of a heat emergency plan for the City of Rochester. The term of the agreement shall be up to five years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-194
Laura Street - Official Map Amendment and Geometric Changes

Transmitted herewith for your approval is legislation related to amending the Laura Street right-of-way (ROW) as a part of the Rochester Police Department (RPD) Goodman Section Office and SE Neighborhood Service Center (NSC) project. This legislation will:

1. Amend the Official Map by prohibiting vehicular traffic on the south portion of Laura Street beginning at the East Main Street intersection and continuing north 147.71 feet+/-.
2. Authorize geometric pavement and curb changes necessary to prevent vehicles from accessing the south portion of the Laura Street ROW.

The proposed Official Map Amendment and geometric changes will block vehicular traffic from 147.71 feet of the Laura Street ROW while permitting pedestrian and bicycle traffic. A new pedestrian plaza will be constructed at this location that will be directly adjacent to the planned NSC building entrance and public parking area. The plaza will create a pedestrian sidewalk and bicycle connection between East Main Street and the neighborhoods directly north of the new construction.

Public meetings were held on October 3, 2018 (RPD Public Information Meeting), March 7, 2019 (Beechwood Neighborhood Coalition Meeting), April 11, 2019 (North Winton Village Meeting), January 23, 2020 (East Main Street Initiatives Public Information Meeting) and February 10, 2020 (Neighbors Building Neighborhoods Sector 6). Copies of the meeting minutes are attached. The pavement width and traffic flow changes were endorsed by the Traffic Control Board at the February 19, 2020 meeting.

The City Planning Commission, in its May 11, 2020 meeting recommended approval of this abandonment by a vote of 7-0-0. Minutes of that meeting, along with the application, are attached.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-113

Ordinance No. 2020-194
(Int. No. 222)

Amending the Official Map and authorizing pavement changes to prohibit the use of motor vehicles and repurpose a portion of Laura Street

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by terminating the use of the following southerly segment of the Laura Street right-of-way as a roadway for motor vehicles:

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 50, 2nd Division, and being more particularly bounded and described as follows: Beginning at the intersection of the northerly ROW line of East Main Street (66' ROW) and the westerly ROW line of Laura Street (60' ROW), said intersection being the Point or Place of Beginning; thence

- 1) Northerly, along said westerly ROW line of Laura Street, a distance of 147.71 feet to a point; thence
- 2) Easterly, crossing said Laura Street with an interior angle of 90 degrees, a distance of 60.0 feet to the easterly ROW line of said Laura Street; thence
- 3) Southerly, along said easterly ROW line of Laura Street, a distance of 147.71 feet to the said northerly ROW line of East Main Street; thence
- 4) Westerly, crossing said Laura Street and along said ROW line of East Main Street, a distance of 60.0 feet to the Point or Place of Beginning.

Hereby intending to describe a parcel of land containing 8863 square feet, or 0.20 Acres, more or less.

Section 2. Council hereby approves removing or reducing the width of the pavement and reconfiguring the curbing within the same southerly portion of Laura Street as is determined to be necessary or appropriate to prevent access by motor vehicles and to repurpose the space for a multi-purpose trail, public plaza and/or other public purposes. The pavement and curb changes shall be made in accordance with plans and specifications approved by the City Engineer.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Peo -8

Nays – Councilmember Lupien – 1

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-195
Re: Agreement – Edge Architecture, PLLC, Lincoln Branch Library Reconfiguration Schematic Design

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$60,000 as maximum compensation for an agreement with Edge Architecture, PLLC (Allen Rossignol, Chief Executive Officer, 277 Alexander Street, Suite 407, Rochester, NY) for architecture and engineering services for the Lincoln Branch Library Reconfiguration Schematic Design. The cost of the agreement will be financed from 2019-20 Cash Capital.

Consultant will provide services to develop programming and schematic design options for the recommended improvements from the Library’s operations and facilities master plan. The schematic design and related cost estimates will allow for review and decision making, to enable the Library to complete an application for a NYSED Library Construction Grant. The selected design will advance to final design and construction documents in a future phase as funding allows.

Edge Architecture, PLLC was selected for architecture and engineering services through a request for proposal process which is described in the attached summary. The term of the agreement shall continue until six months after acceptance of the schematic design report.

The agreement will result in the creation and/or retention of the equivalent of 0.65 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-114

Ordinance No. 2020-195
(Int. No. 223)

Authorizing an agreement for the Lincoln Branch Library Reconfiguration Schematic Design

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 Edge Architecture, PLLC for architectural and engineering services for the Lincoln Branch Library Reconfiguration Schematic Design. The maximum compensation for the agreement shall be \$60,000, which shall be funded from 2019-20 Cash Capital. The term of the agreement shall continue until six months after acceptance of the schematic design report.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-196

Re: Geometric Changes – RCSD Francis Parker School No. 23 (170 Barrington Street)

Council Priority: Creating and Sustaining a Culture of Vibrancy and Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing geometric changes for the Rochester City School District (RCSD) Francis Parker School No. 23 project located at 170 Barrington Street.

Geometric changes on Barrington Street include an increase of 8 feet 6 inches in pavement width, from 25 feet to 33 feet 6 inches, beginning at a point 45 feet north of Milburn Street northerly for a distance of approximately 130 feet, where pavement width will return to 25 feet at an existing cross-walk and continue northerly for a distance of approximately 50 feet, then increase 8 feet 6 inches in width, from 25 feet to 33 feet 6 inches, continuing northerly for a distance of approximately 113 feet, the total length of proposed pavement and curb modification being approximately 351 feet.

This change will create a bus pull-off area that will improve driver and pedestrian safety at the school. In addition to the pavement width changes, the project includes curb and sidewalk replacement adjacent to School No. 23 on the east side of Barrington Street.

Construction for the RCSD project is anticipated to begin in summer of 2020, and completion is anticipated by fall of 2020.

A public informational meeting was held on January 28, 2020. A copy of the minutes of this meeting are attached. The geometric changes required for the project were endorsed by the Traffic Control Board on February 5, 2020.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-115

Ordinance No. 2020-196
(Int. No. 224)

Approving geometric changes on Barrington Street related to Rochester City School District Francis Parker School No. 23

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

Section 1. The Council hereby approves the following changes in the pavement width of Barrington Street to create bus pull-off areas at the Rochester City School District Francis Parker School No. 23 located at 170 Barrington Street:

- A. increasing the pavement width on Barrington Street by 8 feet 6 inches, from 25 feet to 33 feet 6 inches, beginning at a point approximately 45 feet north of Milburn Street and continuing northerly for a distance of approximately 130 feet, where the pavement shall taper back to the existing 25-foot width for approximately 50 feet of length to accommodate an existing cross-walk; and
- B. continuing on the northerly side of said cross-walk area, increasing the pavement width on Barrington Street by 8 feet 6 inches, from 25 feet to 33 feet 6 inches, beginning at a point approximately 180 feet north of Milburn Street and continuing northerly for a distance of approximately 113 feet, where the pavement shall taper back to the existing 25-foot width.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-197
State Street Reconstruction Project (Basin Street - Inner Loop)

Council Priority: Creating and Sustaining a Culture of Vibrancy and Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the State Street Reconstruction Project. This legislation will:

1. Appropriate \$38,100 in anticipated reimbursements from the New York State Marchiselli Aid Program to finance a portion of the design and right-of-way incidentals for the project; and,
2. Amend Section 3 of Ordinance No. 2019-201, which established funding for the agreement with LaBella Associates, D.P.C. (Steve Metzger, P.E., C.E.O., 300 State Street, Suite 201, Rochester, New York) for scoping and preliminary design services related to this project, by reducing the 2014-15 Cash Capital by \$38,100, and replacing those funds with the \$38,100 of the NYS Marchiselli Aid appropriate herein.

This is a Federal Aid Project that is administered by the City under agreement with the NYSDOT.

Street improvements will include pavement reconstruction and widening, curbs, sidewalks, curb ramps, catch basins, manhole frames and covers, water main, water anodes, hydrants, telecommunications conduit, street lighting, signal upgrades, signing, pavement markings, tree plantings, and other various streetscape improvements. These improvements will enhance traffic safety and efficiency, improve the surface drainage and riding quality of the roadway, improve accessibility, and enhance the streetscape.

Additional legislation related to this project, including but not limited to the appropriation of funds for final design services, geometric changes, and construction will be forthcoming.

Construction is anticipated to begin in spring 2022 and be substantially complete in fall 2023.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-116

Ordinance No. 2020-197
(Int. No. 225)

Authorizing an appropriation and amending Ordinance No. 2019-201 for the State Street Reconstruction Project

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

Section 1. The Council hereby authorizes the receipt and use of \$38,100 in anticipated reimbursements from the New York State Marchiselli Aid Program and appropriates that sum to fund the State Street Reconstruction Project (Project).

Section 2. Section 3 of Ordinance No. 2019-201 is hereby amended to read in its entirety as follows:

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates, D.P.C. for scoping and preliminary design services related to this Project. The maximum compensation for the agreement shall be \$265,000. The agreement shall be funded by \$203,200 from the FHWA reimbursements appropriated in Section 2, \$38,100 in anticipated reimbursements from the New York State Marchiselli Aid Program and ~~\$61,800~~ \$23,700 from 2014-15 Cash Capital. The term of the agreement shall extend until six months after final acceptance of the Project.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-198
 Ordinance No. 2020-199
 Re: University Firehouse Truck Bay Alteration

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to University Firehouse Truck Bay Alteration. This legislation will:

1. Establish \$85,000 as maximum compensation for a professional services agreement with Popli, Architecture + Engineering & L.S., D.P.C. dba Popli Design Group, (S. Jay Popli, Executive Vice President, 555 Penbrooke Drive, Penfield, NY) for design phase and construction administration services. The cost of the agreement will be financed from bonds authorized herein, and;
2. Authorize the issuance of bonds totaling \$342,000 and the appropriation of the proceeds thereof to finance design and construction for the Project.

The agreement includes design phase and construction administration services for renovations of the University Firehouse apparatus bay concrete floor and overhead doors. The renovations are required to accommodate new fire trucks that are larger and heavier than existing City fire trucks. The City also temporarily houses on-call trucks from neighboring towns through its Mutual Aid Fire Agreement. These trucks are newer and also have minimum height and weight requirements that the building cannot currently accommodate.

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

Design phase services will begin in fall 2020. Construction is anticipated to begin 2021 with anticipated substantial completion in fall 2021. The agreement will result in the creation and/or retention of the equivalent of 3.7 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-117

Ordinance No. 2020-198
 (Int. No. 226)

Authorizing an agreement for University Firehouse Truck Bay Alteration

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 Popli, Architecture + Engineering & L.S., D.P.C. to provide design phase and construction administration services for the University Firehouse Truck Bay Alteration located at 997 University Avenue (the Project). The maximum compensation for the agreement shall be \$85,000, which shall be funded from the proceeds of a bond ordinance to be adopted for the Project. The term of the agreement shall continue to 3 months after completion of a 2-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-199
 (Int. No. 227)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$342,000 Bonds of said City to finance costs of the University Firehouse Truck Bay Alteration

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 University Firehouse Truck Bay Alteration, consisting of renovations to the apparatus bay concrete floor and overhead doors of the firehouse located at 997 University Avenue to accommodate larger and heavier fire trucks (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 \$342,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$342,000 bonds of the City to finance said appropriation and the levy and

collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$342,000 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 \$342,000. 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. 13. 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:

Re: Ordinance No. 2020-200
West River Wall Project

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the West River Wall Project. This legislation will:

1. Establish \$775,000 as maximum compensation for a professional services agreement with Joseph C. Lu Engineering, P.C., (Cletus O. Ezenwa, CEO, 339 East Avenue, Suite 200, Rochester, NY) for Resident Project Representative (RPR) services for the project. The cost of this agreement will be funded from debt authorized by Ordinance No. 2017-333.; and,
2. Authorize an amendatory agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro V. Giovenco, CEO, 280 East Broad Street, Rochester, NY) to provide additional Construction Phase Engineering and Environmental Monitoring services related to project. The original agreement, authorized in October, 2017

established maximum compensation at \$1,500,000. This amendment will increase the compensation by \$350,000, to a maximum total of \$1,850,000. The additional cost will be funded from debt authorized by Ordinance No. 2017-333.

The West River Wall project is divided into two distinct segments for logistical and project implementation purposes. Segment 1 is defined as the Corn Hill waterfront and is located along the west bank of the Genesee River occupying an approximately 4 acre site that extends approximately 2,200 feet in the north-south direction from Ford Street to the Corn Hill Landing Development and approximately 80 feet in the east-west direction from the Genesee River to Exchange Boulevard. Segment 2 is defined as the Vacuum Oil Waterfront, extending along the west bank of the Genesee River from Ford Street to Utica Place.

The scope of the Segment 1 (Corn Hill) project consists of reconstruction and/or rehabilitation of the flood protection wall, construction of a new park and pedestrian plaza, and installation of an ADA accessible boat launch. The project also includes traffic calming measures through the construction of a raised table intersection at the Exchange Boulevard and Fitzhugh Place. Details of the project were presented to Council in transmittal letters accompanying Ordinance No. 2017-332, Ordinance No. 2017-333 and Ordinance No. 2019-373.

Joseph C. Lu Engineering, P.C was selected for RPR Services for Segment 1 (Corn Hill) through a Request for Proposal process which is described in the attached summary. The agreement shall have a term of three (3) months after completion of a two-year guarantee inspection of the project.

Bergmann Associates is the design consultant for the project. Through coordination with the City and the New York State Department of Environmental Conservation (NYSDEC), an Environmental Management Plan was established during design to mitigate onsite environmental conditions. During construction Bergmann Associates will provide the additional Construction Phase Engineering and Environmental Monitoring to fulfill requirements of the Environmental Management Plan.

Construction for the Segment 1 (Corn Hill) is anticipated to begin in summer 2020 with substantial completion in fall 2021. It is anticipated that the project will return to council for authorization of construction funds. Segment 2 (Vacuum Oil) is currently in preliminary design phase. The agreement and amendatory agreement will result in the creation and/or retention of the equivalent of 12.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-118

Ordinance No. 2020-200
(Int. No. 228)

Authorizing agreements for the West River Wall Segment 1 Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Joseph C. Lu Engineering, P.C. to provide resident project representation services for the West River Wall Segment 1 Project consisting of the reconstruction and/or rehabilitation of a flood protection wall and constructing a park, pedestrian plaza and public boat launch along the west bank of the Genesee River extending from the Ford Street Bridge to Corn Hill Landing (collectively, the Project). The maximum compensation for the agreement shall be \$775,000 and said amount, or so much thereof as may be necessary, shall be funded from a portion of the proceeds of bonds authorized in Ordinance No. 2017-333. The term for the agreement shall continue until three months after completion of a two-year guarantee inspection of the Project work.

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide additional construction phase engineering and environmental monitoring services for the Project. The amendatory agreement shall amend the professional services agreement authorized in Ordinance No. 2017-332 so as to increase the maximum compensation by \$350,000 to a new total of \$1,850,000. The increase in compensation shall be funded from a portion of the proceeds of bonds authorized in Ordinance No. 2017-333.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-201
Re: Intermunicipal Agreement – Town of Irondequoit and Monroe County, Resiliency and Economic Development Initiative (REDI)

Council Priority: Jobs and Economic Development and Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the New York State Resiliency and Economic Development Initiative (REDI). This legislation will:

- 1. Authorize an intermunicipal agreement with the Town of Irondequoit and Monroe County to allow for the City to reconstruct and improve waterfront structures along the east side of the Genesee River located in the City of Rochester. Town of Irondequoit and Monroe County as part of the REDI initiative to ensure Genesee River shoreline stabilization, river wall extension and marina and infrastructure upgrades, and to allow for Monroe County and the Town of Irondequoit to pay to the City the 5% cost share.

Governor Andrew M. Cuomo launched the REDI program in May 2019 to meet the needs of New York State residents living in the eight (8) counties impacted by Lake Ontario and St. Lawrence River flooding. The \$300 million program is intended to repair damage caused by previous flood events and to increase the resiliency of municipal shoreline facilities to protect against anticipated future high water events. Council authorized the application for funding and agreements with New York State in December 2019 (Ordinance No. 2019-376).

The REDI project on the east side of the Genesee River includes an approximate 975 feet of shoreline consisting of parcels owned by the City, Town of Irondequoit and Monroe County. The east side project will provide continuous flood protection (floodwalls and berms) along the river and updates to the landslide storm sewer system and utilities to better handle any future storm water intrusion.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-201
(Int. No. 229)

Authorizing an intermunicipal agreement for the Resiliency and Economic Development Initiative projects along the east side of the Genesee River

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the Town of Irondequoit and Monroe County to administer the Resiliency and Economic Development Initiative (REDI) projects along the east side of the Genesee River.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Vice-President Lightfoot
June 16, 2020

To the Council:

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

- Int. No. 230 Appropriating federal forfeiture funds to support an anti-gun violence campaign
- Int. No. 231 Appropriating funds and authorizing an agreement for veterinary services
- Int. No. 232 Authorizing agreement relating to Biz Kid\$ youth entrepreneurship program
- Int. No. 233 Authorizing funding and agreements for the 2020 Summer Food Service Program

Respectfully submitted,
Willie J. Lightfoot
Mitch Gruber (*Abstained on Int. No. 233*)
LaShay D. Harris
Jacklyn Ortiz
Loretta C. Scott

PUBLIC SAFETY YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-202
Re: Federal Forfeiture Funds-Anti-Gun Violence Campaign

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating \$5,100 from federal forfeiture funds generated by the Police Department. These funds will be included in the 2020-21 Budget of the Police Department, contingent upon approval.

The Rochester Police Department will use these funds to support an anti-gun violence media campaign to bring attention to the issue of gun violence. The campaign, which will run during the month of July, will consist of radio, social media, and outdoor advertising. The goal of the campaign is to bring attention to the human toll of gun violence and give members of the community information on how they can help reduce shootings in the City of Rochester.

The appropriations requested this month will result in a balance of approximately \$780,400 in the federal forfeiture Justice fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-202
(Int. No. 230)

Appropriating federal forfeiture funds to support an anti-gun violence campaign

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

Section 1. The sum of \$5,100 in funds anticipated to be received from the Federal Government from seized and forfeited assets are hereby appropriated to support an anti-gun violence media campaign (Campaign).

Section 2. The Mayor is hereby authorized to enter into any agreement and to execute such other documents as may be necessary to fund and implement the Campaign.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-203
Re: Agreements – Veterinary Services for Rochester Animal Services

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Are: Reinforcing Strong Neighborhoods

Transmitted for your approval is legislation related to veterinary agreements for Rochester Animal Services (RAS). This legislation will:

1. Appropriate up to \$19,800 from the Animal Control Gifts Fund for veterinary services agreements for Rochester Animal Services; and
2. Establish \$8,000 as maximum compensation for an agreement with Animal Hospital of Pittsford, P.C. (Principal: Todd Wihlen), 2816 Monroe Avenue, Rochester, for emergency veterinary services. The agreement will be funded from the 2020-21 Budget of the Police Department contingent upon approval. The term will be from July 1, 2020 to June 30, 2021.

RAS utilizes agreements with outside veterinarians and veterinary technicians to increase surgical capacity, improve customer service, and provide veterinary coverage during the absence of the regular veterinarian and veterinary technicians. RAS does not expect any of these individual agreements to reach the \$10,000 threshold that would require Council approval. Animal Hospital of Pittsford provides emergency and after-hours veterinary services, and performs spay and neuter surgeries when on-site consultants are not available.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-203
(Int. No. 231)

Appropriating funds and authorizing an agreement for veterinary services

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

Section 1. The sum of \$19,800, or so much thereof as may be necessary, is hereby appropriated from the Animal Control Gifts Fund for veterinary services agreements for Rochester Animal Services.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Animal Hospital of Pittsford, P.C. to provide emergency veterinary services. The maximum compensation for the agreement shall be \$8,000, which shall be funded from the 2020-21 Budget of the Police Department, contingent upon approval. The term of the agreement shall be from July 1, 2020 to June 30, 2021.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-204
Re: Agreement - Consumer Credit Counseling Service of Rochester, Inc.

Council Priority: Supporting the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity; Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$9,500 as maximum compensation for an agreement with Consumer Credit Counseling Service of Rochester, Inc. (CCCSR) (Jason Tracy, CEO, Rochester, NY) for services related to the delivery of the Biz Kid\$ youth entrepreneurship program. The cost of this agreement will be funded from the 2020-21 Budget of the Department of Recreation and Youth Services (DRYS) and the term of the agreement will not exceed one year.

The Biz Kid\$ youth entrepreneurship program, operated by DRYS, provides interactive, applied business and entrepreneurial education to Rochester youth ages 10-18 annually through the delivery of four week-long Biz Kid\$ camps, five Biz Kid\$ and Beyond seminars, and the Biz Kid\$ Real summer youth employment program. Consumer Credit Counseling Service of Rochester, Inc. became a key partner of the Biz Kid\$ program in 2013. As a local nonprofit organization established in 1970, its mission is to help individuals and families to build financial wellness and financial peace of mind. Under this agreement, CCCSR will provide financial literacy instruction, training for DRYS Recreation staff on the Biz Kid\$ curriculum and youth entrepreneurship trends, and assistance with Biz Kid\$ camp instruction.

A justification for no RFP is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-119

Ordinance No. 2020-204
(Int. No. 232)

Authorizing agreement relating to Biz Kid\$ youth entrepreneurship program

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 Consumer Credit Counseling Service of Rochester, Inc. to provide services relating to the Biz Kid\$ youth entrepreneurship program (the Program), including instruction to Program participants and training to Program staff. The maximum compensation for the agreement shall be \$9,500, which shall be funded from the 2020-21 Budget of the Department of Recreation and Youth Services, contingent upon approval. The term of the agreement shall be up to one year.

Section 2. The agreement shall contain such other 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. 2020-205
Re: Summer Food Service Program

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the 2020 Summer Food Service Program (SFSP). This legislation will:

1. Authorize a grant agreement with the New York State Department of Education for the receipt and use of \$1,034,805.94 in anticipated reimbursements for the 2020 Summer Food Service Program operated by the City of Rochester. The funds will be used for the procurement and delivery of meals, the salaries of City summer staff consisting of one coordinator, two monitors, and a clerk; refuse pickup; mileage; outreach; and supplies.
2. Amend the 2020-21 Budget of DRYS by \$734,000 to reflect the receipt of the grant, contingent upon approval of said budget. A portion of the grant funds, \$300,800, were anticipated and included in the proposed 2020-21 Budget of DRYS however the reimbursement is anticipated to exceed this amount due to the COVID-19 pandemic and anticipated increased utilization of this summer’s food service program.
3. Establish \$560,000 as maximum compensation for a professional services agreement with the Rochester City School District for meal preparation and delivery services related to the 2020 Summer Food Service Program. The term of the agreement will not exceed one year and the cost of the agreement will be funded by 2020-21 Budget of DRYS and the grant funds authorized herein.
4. Establish \$180,000 as maximum compensation for a professional services agreement with Foodlink, Inc. (Julia Tedesco, CEO, Rochester, NY) for meal preparation and delivery services related to the 2020 Summer Food Service Program. The term of the agreement will not exceed one year and the cost of the agreement will be funded by 2020-21 Budget of DRYS and the grant funds authorized herein.

SFSP provides free breakfast and lunch to city children aged 18 and under and to disabled persons over 18 who are enrolled in a school year program for children with disabilities. The program is administered by the City and reimbursed by the New York State Department of Education, using federal funding. The federal reimbursement rates and projected numbers of meals for this year are as follows:

	<u>Meals</u>	<u>Rate per Meal</u>	<u>Reimbursement</u>
Breakfast	156,375	\$2.33	\$ 364,353.75
Lunch	164,025	\$4.0875	\$ 670,452.19
			\$1,034,805.94

This year the program will operate from June 26-September 4 and meals will be served at a variety of locations throughout the City. Last year, the City of Rochester served nearly 75,000 meals. With the COVID-19 grab and go model approved to remain throughout the summer, the City anticipates serving more than 300,000 breakfasts and lunches. The District and Foodlink Inc., along with several local agencies, also operate summer food service programs in the Rochester community.

The City continues to collaborate with the District, Foodlink Inc., the Rochester Area Community Foundation, Common Ground Health, and Causewave to promote the program to youth and parents, identify potential new sites, and implement best practices and innovative strategies to increase the number of meals served each year.

The 2019 program was authorized via City Council Ordinance No. 2019-210.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-120

Ordinance No. 2020-205
(Int. No. 233)

Authorizing funding and agreements for the 2020 Summer Food Service Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Education for the receipt and use of anticipated reimbursements in the amount of \$1,034,805.94 for the 2020 Summer Food Service Program (Program).

Section 2. The 2020-21 Budget of the City of Rochester is, contingent upon its adoption, hereby amended by increasing the revenue estimates and appropriations to the Budget of the Department of Recreation and Youth Services (DRYS) by the sum of \$734,000, which amount is hereby appropriated from funds authorized to be received in Section 1 herein.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with the Rochester City School District for the preparation and delivery of meals for the Program. The maximum compensation for the agreement shall be \$560,000, which shall be funded by the 2020-21 Budget of DRYS, contingent upon adoption.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Foodlink, Inc. for the preparation and delivery of meals for the Program. The maximum compensation for the agreement shall be \$180,000, which shall be funded by the 2020-21 Budget of DRYS, contingent upon adoption.

Section 5. The term of each agreement shall not exceed one year.

Section 6. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes- President Scott, Councilmember Evans, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo -8.

Nays – None -0

Councilmember Gruber abstained due to a professional relationship.

By President Scott
June 16, 2020

To the Council:

The **COMMITTEE OF THE WHOLE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 245 Approving appointments to the Police Accountability Board

Respectfully submitted,
Malik Evans
Mitch Gruber
LaShay D. Harris
Mary Lupien
Jacklyn Ortiz
Michael A. Patterson
Jose Peo
Willie J. Lightfoot
Loretta C. Scott

COMMITTEE OF THE WHOLE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2020-25

Re: Re-Appointment – Police Accountability Board

Council Priority – Public Safety

Transmitted herewith for your approval is a resolution to approve reappointments to the Police Accountability Board (PAB) and to establish staggered terms as outlined in Local Law No. 2019-2. The PAB is comprised of nine community members: four members nominated by the Council with one residing within each of the four Council Districts, four nominated from names submitted by the Police Accountability Board Alliance (PABA), and one nominated by the Mayor.

The Police Accountability Board members were selected to serve initial terms that commenced with their appointment in January 2020. These initial terms are preliminary and set to expire on June 30, 2020. Following the initial term, the Police Accountability Board members must be reappointed to serve staggered terms beginning July 1, 2020. The staggering of terms will be broken down in the following manner:

- Three members shall be appointed for terms of one (1) year, of whom one (1) shall have been designated by Council, and two (2) shall have been designated by the Alliance;
- Three members shall be appointed for terms of two (2) years, of whom two (2) shall have been designated by the Council, and one (1) shall have been designated by the Alliance;
- Three members shall be appointed for terms of three (3) years, of whom one (1) shall have been designated by the Mayor one (1) shall have been designated by the Alliance, and one (1) shall have been designated by Council.

Following this staggered term, each of the members are eligible to be reappointed for a second term of three years. Local Law 2019-2 does not provide a method for choosing which members of the Board will serve which staggered term, as such it was determined that a randomized selection method would be the most neutral. That random drawing was conducted, and resulted in the follow terms for the proposed reappointments:

Seat	Name	Term
PABA Seat 1	Vacant	July 1, 2020 – June 30, 2021 (1 Year Term)
PABA Seat 4	Dr. Celia McIntosh	July 1, 2020 – June 30, 2021 (1 Year Term)
Council East	Dr. Robert Harrison III	July 1, 2020 – June 30, 2021 (1 Year Term)
PABA Seat 2	Miquel Powell	July 1, 2020 – June 30, 2022 (2 Year Term)
Council Northwest	Rabbi Drorah Setel	July 1, 2020 – June 30, 2022 (2 Year Term)
Council South	Rev. Matthew Nickoloff	July 1, 2020 – June 30, 2022 (2 Year Term)
PABA Seat 3	Shani Wilson	July 1, 2020 – June 30, 2023 (3 Year Term)
Council Northeast	Ida Perez	July 1, 2020 – June 30, 2023 (3 Year Term)
Mayoral	Rev. Dr. Rickey B. Harvey	July 1, 2020 – June 30, 2023 (3 Year Term)

PABA Seat 1 was previously held by Jonathan Dollhopf who submitted his resignation on June 8, 2020. PABA Seat 1 will be filled going forward using the process set forth in Local Law 2019-2. City and district residency was verified for each of the members where applicable.

Resumes of the above nominees are on file with the City Clerk.

Respectfully Submitted,

Loretta C. Scott President	Willie J. Lightfoot Vice President	Malik D. Evans Councilmember
Mitch Gruber Councilmember	LaShay D. Harris Councilmember	Mary Lupien Councilmember
Jacklyn Ortiz Councilmember	Michael A. Patterson Councilmember	Jose Peo Councilmember

Resolution No. 2020-25
(Int. No. 245)

Approving appointments to 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 Rev. Dr. Rickey B. Harvey to the Police Accountability Board as appointed by the Mayor for a term commencing on July 1, 2020 and expiring on June 30, 2023.

Section 2. The Council hereby appoints to the Police Accountability Board the following persons, one for each of the four City Council Districts specified, each for a term that shall commence on July 1, 2020 and expire on the date specified:

Name	City Council District	Term Expires
Dr. Robert Harrison III	East	June 30, 2021
Rabbi Drorah Setel	Northwest	June 30, 2022
Rev. Matthew Nickoloff	South	June 30, 2022
Ida Perez	Northeast	June 30, 2023

Section 3. The Council hereby appoints to the Police Accountability Board the following persons nominated by the Police Accountability Board Alliance, each for a term that shall commence on July 1, 2020 and expire on the date specified:

Name	Term Expires
Miquel Powell	June 30, 2022
Shani Wilson	June 30, 2023
Dr. Celia McIntosh	June 30, 2021

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 9:30 p.m.

HAZEL L. WASHINGTON
City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

July 21, 2020

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

Present –President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo – 9.

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

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

Retirement:

DES:

- *Thomas Belknap
- *Laura Nobles

DRYS:

- *Robert Mulvaney

IT:

- *Phong Huynh

NBD:

- *Marguerite Parrino

RPD:

- *Peter Leach
- *Deborah Podgers

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Ortiz

RESOLVED, that the minutes of the Regular Meeting on June 16, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

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

Administrative Cancellation or Refund of Erroneous Taxes – Jan/March 2020 -4327-20

The Council submits Disclosure of Interest Forms from Vice President Lightfoot on Int. No. 269, Councilmember Harris on Int. No. 251, Int. No. 270 and Int. No. 292.

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

None

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on July 16, 2020 on the following matters:

Authorizing an amendatory agreement and geometric changes for the East Main Street Improvement Project Int. No. 263
Two Speakers

Authorizing geometric changes to pavement widths adjacent to 275 East Avenue (Inner Loop Transformation Site 3)
Int. No. 265
No Speakers

Approving geometric changes on Exchange Boulevard and the receipt of funding for electrical and lighting improvements related to the West River Wall Segment 1 Project Int. No. 266
No Speakers

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

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Evans
July 21, 2020

To the Council:

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

- Int. No. 246 Establishing a City policy for paid leave for victims of domestic violence
- Int. No. 247 Authorizing an amendatory agreement for independent legal counsel
- Int. No. 287 Authorizing a professional services agreement with WXXI Public Broadcasting Council for broadcast of City Council Meetings
- Int. No. 288 Authorizing an agreement with General Code, LLC for publication of the City Charter and Code
- Int. No. 289 Authorizing an amendatory agreement for expert witness services for the Law Department
- Int. No. 290 Amending Ordinance No. 2020-164 as it relates to the charges for the two South Avenue Open Space districts to be inserted in the tax rolls for the 2020-21 fiscal year
- Int. No. 291 Local Law amending the City Charter with respect to the Division of Planning
- Int. No. 292 Local Law amending the Charter of the City of Rochester with respect to budget requirements for the City School District

Respectfully submitted,
Malik Evans
LaShay D. Harris (*Abstained on Int. No. 292*)
Michael A. Patterson
Willie J. Lightfoot
Loretta C. Scott (*Absent*)
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-206
Re: Establishing City Policy for Paid Leave for Victims of Domestic Violence

Council Priority: Jobs and Economic Development; Public Safety

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation to develop a City policy that allows City of Rochester employees who are victims of domestic violence to take paid leave.

The policy will provide victims of domestic violence the ability to take paid leave to seek medical attention, obtain legal advice, appear at related court proceedings, or obtain services for shelter, counseling or overall safety planning. The policy will also allow employees to use paid leave to seek medical attention or counseling for an immediate family member related to a domestic violence incident. Employees will be able to utilize existing leave banks to be paid for such leave, to the extent permissible under any applicable collective bargaining agreement. Employees without any available paid leave will be approved for Authorized Unpaid Leave.

Tragically, domestic violence permeates the lives of many individuals and compromises their safety each day, with potentially destructive and fatal results. Domestic violence occurs within a wide spectrum of relationships and can also occur between members of the same family or household. During the COVID-19 pandemic, reports of domestic violence increased in New York State.

The City of Rochester remains committed to ensuring the safety and security of all City of Rochester employees. This includes promoting safety in the workplace and responding immediately and effectively to the needs of employees who may be the victims of domestic violence. Access to legal assistance and supportive services is critical for victims of domestic violence, and this policy will ensure employees can take time to seek the assistance and/or protection they need.

Respectfully submitted,
Lovely A. Warren
Mayor

Respectfully submitted,
Willie Lightfoot
Council Vice President

Ordinance No. 2020-206
(Int. No. 246)

Establishing a City policy for paid leave for victims of domestic violence

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

Section 1. The Council hereby authorizes the establishment of a policy to allow City of Rochester employees who are victims of domestic violence to take paid leave to seek medical attention, obtain legal advice, appear at related court proceedings, or obtain services for shelter, counseling, or overall safety planning. The policy also shall allow employees to use paid leave to seek medical attention or counseling for an immediate family member related to a domestic violence incident.

Section 2. The Mayor shall establish a City policy for paid leave for victims of domestic violence to be consistent with the authorization in Section 1. The policy shall contain such additional provisions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-207
Re: Amendatory Agreement – Emery, Celli, Brinkerhoff & Abady, LLP – Legal services relating to PAB

Transmitted herewith for your approval is legislation establishing \$70,000 as maximum compensation for an amendatory agreement with Emery, Celli, Brinkerhoff & Abady, LLP, New York, NY (principal: Andrew Celli) for legal services relating to the pending lawsuit regarding the Police Accountability Board (PAB) legislation. The current agreement with Emery, Celli, Brinkerhoff & Abady, LLP, is set to expire May 21, 2021, this legislation will also authorize the option for up to two 1-year renewals of this contract.

The original agreement for \$50,000 was authorized by Ordinance Number 2019-113 for general legal counsel regarding the PAB legislation. The agreement was amended by \$50,000 authorizing by Ordinance Number 2020-19. This amended will increase total compensation to \$170,000. This amendatory agreement will be funded by the 2020-21 Budget of the City Council and Clerk.

Emery, Celli, Brinkerhoff & Abady, LLP is providing discounted services and capped legal fees for the Council for the appeal of this case. This funding will cover the costs associated for an Appeal to the Fourth Department, Appellate Division and if necessary, the Court of Appeals.

A justification statement for awarding an agreement without a request for proposals is attached

Respectfully submitted,
Loretta C. Scott
President

Attachment No. AT-121

Ordinance No. 2020-207
(Int. No. 247)

Authorizing an amendatory agreement for independent legal counsel

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

Section 1. Pursuant to City Charter § 5-21(D), the Council President is hereby authorized to enter into an amendatory professional services agreement with Emery Celli Brinckerhoff & Abady LLP to continue to provide independent legal counsel relating to the establishment and operation of a police accountability board. The maximum compensation for the agreement originally authorized in Ordinance 2019-113 and as amended in Ordinance No. 2020-19 is hereby increased by \$70,000 to a total amount of \$170,000 and the term of the agreement is hereby modified to authorize up to two additional one-year extensions if budgeted funds remain. The amendatory compensation amount shall be funded from the 2020-21 Budget of City Council and Clerk.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-208
Re: Agreement with WXXI to Broadcast City Council Meetings

Transmitted herewith for your approval is legislation establishing \$58,500 as maximum compensation for a three-year professional services agreement with WXXI Public Broadcasting Council to continue to provide technical staff for the live broadcasts of City Council Meetings.

WXXI has been operating the equipment since the inception of live broadcasts in January 2008. These contract services have enabled a seamless feed from the Chambers to the City Channel 12, which is operated by WXXI.

As part of this contract, WXXI staff will set up the City's broadcast equipment prior to each Council session, test the audio/video signal being transmitted to WXXI's State Street studio, and provide technical direction, video recording, master control, and closed captioning services for both in-person or virtual meetings. They will use an AI system for captioning that provides a reasonable level of accuracy, and caption revisions will be for Committee and City Council meetings. The agreement will provide funding for the broadcast of regular monthly City Council meetings, City Council committee meetings, two full-day budget hearings, web streaming, plus an allocation for two organization meetings and contingency. The WXXI agreement will be funded from the 2020-21 budget as well as future budgets of the City Council/City Clerk.

The basic fees for each of the years of the agreement are as follows:

Council meetings	\$600	per meeting
Committee meetings/public hearings	\$600	per meeting
Organization meetings	\$600	per meeting
All –day budget hearings	\$1,350	per meeting
Web streaming, monthly	\$100	per month
Caption revisions for Council and Committee meetings	\$1.25	per minute

Respectfully submitted,
Loretta Scott
President

Malik D. Evans
Finance Chair

Attachment No. AT-122

Ordinance No. 2020-208
(Int. No. 287)

Authorizing a professional services agreement with WXXI Public Broadcasting Council for broadcast of City Council Meetings

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 WXXI Public Broadcasting Council to broadcast City Council Meetings for a term of three years. The maximum annual compensation shall be \$19,500, which shall be funded from the 2020-21 and subsequent years' budgets of the City Council and Clerk, contingent upon adoption of the subsequent years' budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-209
Re: Publication of the City Charter and Code

Transmitted herewith for your approval is legislation establishing maximum compensation of \$57,600 for a three-year professional services agreement with General Code, LLC for maintenance and publication of the City Charter and Code in both paper and Internet versions. The cost of the proposed agreement will be funded from the 2020-21 and future budgets of the City Council/City Clerk.

The proposed agreement will provide for continued maintenance of the Charter and Code through the preparation of new sections and amendments as approved by the City Council and signed into law by the Mayor, including both the paper and Internet versions of these volumes. As part of this agreement, General Code will continue to work with the City's Law Department to ensure that both the Internet and paper versions of the City Charter and Code accurately reflect laws as adopted.

The agreement has a provision for the publication of pamphlets, containing reprints of specified sections of the Code, for individual departments and bureaus, the cost to be borne by the offices requesting such pamphlets. In addition, the agreement provides for the printing and delivery to the City, on a quarterly basis, of all revisions to the Charter and Code.

This agreement also includes monthly updates on the Internet version of the Charter and Code. The agreement with General Code will be funded from the 2020-21 budget as well as future budgets of the City Council/City Clerk.

Respectfully submitted,
Loretta Scott
President

Malik D. Evans
Finance Chair

Attachment AT-123

Ordinance No. 2020-209
(Int. No. 288)

Authorizing an agreement with General Code, LLC for publication of the City Charter and Code

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 General Code, LLC to publish the City Charter and Code and to provide for continued maintenance of the Charter and Code in paper and electronic versions including monthly updates to the electronic version. The agreement shall have a term of three years and a maximum annual compensation of \$19,200, which annual amount shall be funded from each of the 2020-21 and subsequent two years' budgets of the City Council and Clerk, contingent upon adoption of the subsequent budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-210
Re: Amendatory Agreement – Expert Witness Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Crash Data Specialists LLC and its principal, Jon Northrup (resident of Webster, New York), for the continued provision of expert accident reconstruction services. The amendatory agreement will increase the maximum fee payable under the prior agreement entered into in January, 2019 by \$10,000 to a total of \$25,000. Said amount shall be funded from the current or future Budgets of the Law Department for the fiscal year in which the fee for services is incurred, contingent upon the approval of the future budgets.

Since 2015 CDS and its principal, Jon Northrup, have provided expert services to the Law Department by reconstructing accident scenes, obtaining “black box” information from accident vehicles, and providing reports, affidavits and testimony of the same. These services are provided promptly and at the reasonable cost of \$150.00 per hour. Most recently, as authorized by ordinance No. 2018-353, the Law Department entered into the January 2019 contract with CDS for an amount not to exceed \$15,000; the term of that agreement extends “until the completion of the cases for which the expert’s services are requested.” Presently, CDS is working with the City on two pending cases involving motor vehicle accidents: *Lewis v. Desta, et al.* and *Levin v. City of Rochester, et al.* The Law Department anticipates that it may require up to \$10,000 worth of additional expert services for these two cases, and therefore, seeks to increase the fee payable by \$10,000. The term of the amendatory agreement may extend until completion of these cases.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-210
(Int. No. 289)

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

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Crash Data Specialists LLC to provide additional expert witness services in conjunction with pending and future litigation. The

agreement authorized in Ordinance No. 2018-353 shall be amended to increase the maximum compensation by \$10,000 to a new total of \$25,000. The increase in compensation shall be funded by the current or future Budgets of the Law Department for the fiscal year in which the fee for services is incurred, contingent upon the approval of the future budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-211

Local Law #4

Local Law #5

Re: 2020-21 Budget Technical Amendment and Charter and Code Changes

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation that will:

1. Amend Ordinance 2020-164 to correct the split of the South Avenue Open Space District charges as approved by Local Improvement Ordinance No. 1763 to be \$4,847.39 for Zone 1 and \$4,052.61 for Zone 2;
2. Authorize Charter changes initially proposed in the June, 2020 transmittal to City Council for the 2020-21 Budget as follows:
 - a. Amend the City Charter to transfer the Division of Planning from the Department of Neighborhood and Business Development in Article X to the Mayor's Office in Article III; and
 - b. A local law is proposed allowing for a temporary, one-year exception for the Rochester City School District from the requirement per Section 3-9.1 D of the City Charter that the RCSD budget contain an amount of at least \$10,000,000 for Cash Capital. This is proposed as a temporary measure to provide RCSD with additional budgetary flexibility to balance its 2020-21 budget. Council authorized a similar exception for the district's 2019-20 budget with Local Law #1 in December, 2019.

The initial split between the zones for the South Avenue Open Space District was incorrectly calculated. This legislation will confirm the assessments levied on the 2020-21 tax billing.

The two Charter changes were initially submitted as part of the 2020-21 Budget adoption in June, 2020 however the legislation necessary to adopt both were inadvertently excluded from what was submitted to Council for adoption.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-211
(Int. No. 290)

Amending Ordinance No. 2020-164 as it relates to the charges for the two South Avenue Open Space districts to be inserted in the tax rolls for the 2020-21 fiscal year

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

Section 1. Section 1 of Ordinance No. 2020-164 is hereby amended by modifying the assessments, amounts and charges for the two South Avenue Open Space Districts as follows:

- a. changing the charges for South Avenue Open Space 1 from \$4,441.42 to \$4,847.39; and
- b. changing the charges for South Avenue Open Space 2 from \$4,458.58 to \$4,052.61.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Local Law # 4
(Int. No. 291)

Local Law amending the City Charter with respect to the Division of Planning

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended in Article X, Department of Neighborhood and Business Development, by repealing in its entirety Section 10-4, Division of Planning.

Section 2. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by adding to Article III, Mayor, a new Section 3-7 to read in its entirety as follows:

§ 3-7. Division of Planning.

A. There shall be a Division of Planning, the head of which shall be the Manager of Planning.

B. The Division of Planning shall conduct and coordinate the City's physical, environmental and transportation planning. The Manager of Planning shall undertake studies of the physical, economic and social factors relevant to the well-being of the City. The Manager shall be responsible for preparing and maintaining a Comprehensive Development Plan for the City; reviewing the conformity of municipal and private proposals to the City's development objectives; collecting, cataloging and analyzing data on demographic, economic and physical characteristics of the City; and coordinating the City's planning programs with those of the Genesee/Finger Lakes Regional Planning Council, the Monroe County Department of Planning and the Genesee Transportation Council.

C. The Division of Planning shall also be responsible for planning and coordinating projects and programs for the conservation and revitalization of the City's neighborhoods in accordance with the Comprehensive Development Plan.

Section 3. This local law shall take effect on July 1, 2020 or immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law, whichever occurs later.

Passed unanimously.

Local Law #5
(Int. No. 292)

Local Law amending the Charter of the City of Rochester with respect to budget requirements for the City School District

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester,” as amended, is hereby further amended by adding Subsection D(4) to Section 3-9.1, Allocation of funding and debt-incurring power between City and City School District, to read in its entirety as follows:

4. Notwithstanding § 3-9.1D(2) of the City Charter, there shall be no minimum cash capital requirement for the 2020-21 fiscal year budget of the City School District.

Section 2. This local law shall take effect upon its filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber, Lightfoot, Lupien, Ortiz, Patterson, Peo -8.

Nays – None-0.

Councilmember Harris abstained due to a professional relationship.

By Councilmember Patterson
July 21, 2020

To the Council:

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

- Int. No. 248 Authorizing a lease agreement with UGI Energy Services, LLC
- Int. No. 249 Authorizing a lease agreement for the Office of Public Integrity
- Int. No. 250 Authorizing a lease agreement for the Northwest Neighborhood Service Center
- Int. No. 251 Amending Ordinance No. 2020-99 as it relates to land acquisitions for the Flower City School No. 54 campus modernization project
- Int. No. 252 Authorizing a loan agreement for the North Clinton, East Main, Culver Road Rental Housing Project
- Int. No. 253 Authorizing the transfer of a payment in lieu of taxes agreement for Charlotte Harbortown Homes
- Int. No. 254 Authorizing an agreement for the Project Phoenix program
- Int. No. 255 Authorizing an amendatory intermunicipal agreement with the County of Monroe to fund enforcement of the Lead-Based Paint Poisoning Prevention ordinance

Respectfully submitted,
Michael A. Patterson
Mary Lupien (*Voted against Int. No. 253*)
Jacklyn Ortiz
Willie J. Lightfoot
Loretta C. Scott (*Absent*)

NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-212
Re: Lease Agreement – UGI Energy Services, LLC, 1000 N. River St, Port Terminal Building

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City of Rochester and UGI Energy Services, LLC, (Michael C. Gibbs, Vice President, 835 Knitting Mills Way, Wyomissing, PA). The applicant will lease approximately 2,651 square feet of space in the Port Terminal Building (Suite 201). The current monthly rental amount is \$2,210. The new monthly rental amount will also be \$2,210 calculated at a rate of \$10 per square foot annually, which was established through an independent appraisal performed by Kevin Bruckner, MAI, of Bruckner, Tillet, Rossi, Cahill & Associates, Inc. as of February 2020. The term will be three (3) years.

UGI Energy Services, a subsidiary of UGI Corporation (a publicly traded fortune 500 company) supplies and markets natural gas, liquid fuels, and electricity to over 40,000 consumer locations across the Mid-Atlantic and Northern United States. UGI Energy Services, LLC has leased suite 201 in the Port Terminal Building since August 1, 2018, authorized in July 2018 through Ordinance No. 2018-228, their current lease is set to expire on July 31, 2020.

UGI Energy Services has five full time jobs for local residents and offers additional workspaces for a regional traveling sales team. UGI Energy Services is currently consolidating regional field offices and the Port of Rochester was chosen over an office in the Southern Tier of New York.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-124

Ordinance No. 2020-212
(Int. No. 248)

Authorizing a lease agreement with UGI Energy Services, LLC

WHEREAS, the City of Rochester has received a proposal for the lease of space in the Port Terminal Building located at 1000 North River Street;

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

WHEREAS, the Council affirmatively finds that the term of such proposed lease, which is three years, is reasonable and necessary in light of the lease's intended purpose and that the public will benefit throughout that term.

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

Section 1. The Mayor is hereby authorized to enter into a lease agreement with UGI Energy Services, LLC for use of 2,651 square feet of space in Suite 201 of the Port Terminal Building. The agreement shall have a term of three years.

Section 2. The monthly rental amount shall be \$2,210.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-213
Re: Lease Agreement- Buckingham Properties LLC, Buckingham Commons Building, Office of Public Integrity Office Space

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation approving a lease agreement between the City of Rochester and Buckingham Properties LLC a/k/a 85 Allen, LLC (Rich Finley, President and Chief Operating Officer, 259 Alexander Street, Rochester, NY) for the continued use of 2,296 square feet of space in the Buckingham Commons building at 85 Allen Street to accommodate the functions of the Office of Public Integrity. The current annual cost for this lease is \$37,755.35. The annual cost for the new lease – as established by an appraisal prepared in February 2020, by Rachel Gaillard of Bruckner, Tillet, Rossi, Cahill and Associates – will be \$38,894.24 for the first year, with 3% annual rental increases. The cost of electricity will be the responsibility of the City. All other utility costs are included in the rental amount. The annual cost of this lease will be funded through the 2020-21 Budget of the Office of the Mayor and subsequent budgets, contingent upon their approval. The term of the new lease will be for three years, with two, one-year renewal options and will commence on August 1, 2020.

The Office of Public Integrity has been located at this site since 2006. The location of the Office of Public Integrity is close to City Hall, while still providing anonymity to City employees and/or private citizens who wish to bring any concerns to the Office of Public Integrity. The last lease agreement for this property was approved via Ordinance No. 2017-88.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-125

Ordinance No. 2020-213
(Int. No. 249)

Authorizing a lease agreement for the Office of Public Integrity

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 Buckingham Properties LLC a/k/a 85 Allen, LLC for the lease of 2,296 square feet of space in the Buckingham Commons Building at 85 Allen Street to be used by the Office of Public Integrity. The agreement shall have a term of three years with the option to renew for two additional one-year periods.

Section 2. The lease agreement shall obligate the City to pay an amount not to exceed \$38,894.24 in rent for the first year, with 3% annual increases for subsequent years. Said amounts shall be funded from the 2020-21 and subsequent years' Budgets of the Mayor's Office, contingent upon approval of future budgets. The City shall be responsible for electric costs. Heating and cooling costs shall be included in the rent amount.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-214
Re: Lease Agreement- Charles Settlement House, Inc., 71 Parkway, Northwest Neighborhood Service Center

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation approving a lease agreement between the City of Rochester and Charles Settlement House, Inc. (Scott Benjamin, President, 71 Parkway, Rochester, NY) for the continued use of 5,289 square feet of space at 71 Parkway to accommodate the functions of the Northwest Neighborhood Service Center (NW-NSC). The current annual cost for this lease is \$34,713. The annual cost for the new lease – as established by an appraisal prepared in May 2020, by Rachel Gaillard of Bruckner, Tillet, Rossi, Cahill and Associates – will be \$37,023 for the first year, with 3% annual rental increases. All utility costs are included in the rental amount. The annual cost of this lease will be funded through the 2020-21 Budget of the Department of Neighborhood and Business Development and subsequent budgets, contingent upon their approval. The term of the new lease will be for three years, with three, one-year renewal options and will commence on August 1, 2020.

The NW-NSC has been located at this site since 2013. The NW-NSC is strategically located within the quadrant and is adjacent to the offices of a neighborhood-based service organization, which provides opportunities to enhance customer service and community engagement. The last lease agreement for this property was approved via Ordinance No. 2013-174.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No AT-126

Ordinance No. 2020-214
(Int. No. 250)

Authorizing a lease agreement for the Northwest Neighborhood Service Center

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 Charles Settlement House, Inc. for the lease of 5,289 square feet of building space at 71 Parkway for the Northwest Neighborhood Service Center. The agreement shall have a term of three years with the option to renew for three additional one-year periods.

Section 2. The lease agreement shall obligate the City to pay an amount not to exceed \$37,023 in rent for the first year, with 3% annual increases for subsequent years. Said amounts shall be funded from the 2020-21 and subsequent years' Budgets of the Department of Neighborhood and Business Development, contingent upon approval of future budgets. All utility costs shall be included in the rent amount.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-215
Re: Technical Amendment – Ordinance No. 2020-99, Acquisition of Properties for the Flower City School No. 54 Campus Modernization 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 amending Ordinance No. 2020-99 to revise the value of the acquisition associated with the Flower City School No. 54 Campus Modernization Project. The changes are detailed below:

<u>Property Address</u>	<u>Owner</u>	<u>Original Maximum Acquisition Amount</u>	<u>Revised Maximum Acquisition Amount</u>
56 Aab Street	Brenda A. Smith	\$43,000	\$65,000

The just compensation for each property has been augmented by an administrative adjustment permitted under the Eminent Domain Procedure Law in consideration of the legal costs of attempting to acquire the properties through condemnation.

The owner of the property had contested the indicated just compensation amount, but has agreed to convey the property with the indicated administrative adjustment.

The increased just compensation amount will result in a timely conveyance without additional litigation costs. The additional cost will be funded from Rochester Schools Modernization Program funds, which were appropriated on behalf of the City and the Rochester City School District by the Rochester Joint Schools Construction Board on December 9, 2019 in Resolution 2019-20: 68.

All City taxes and other current-year charges against each said parcels shall be canceled as of the date title is transferred to the City. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing while the City owns a parcel, shall also be canceled.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-127

Ordinance No. 2020-215
(Int. No. 251)

Amending Ordinance No. 2020-99 as it relates to land acquisitions for the Flower City School No. 54 campus modernization project

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

Section 1. Section 1 of Ordinance No. 2020-99 is hereby amended by increasing the maximum acquisition amount for 56 Aab Street (SBL# 105.50-1-27) owned by Brenda A. Smith from \$43,000 to \$65,000.

Section 2. The additional acquisition amount of \$22,000 authorized herein shall be funded from Rochester Schools Modernization Program funds, which were appropriated on behalf of the City and the Rochester City School District by the Rochester Joint Schools Construction Board in accordance with its Resolution 2019-20: 68.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmember Evans, Gruber, Lightfoot, Lupien, Ortiz, Patterson, Peo – 8.

Nays – None-0.

Councilmember Harris abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-216

Re: Agreement- Home Leasing, LLC, North Clinton, East Main, Culver Road Rental Housing Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the North Clinton, East Main and Culver affordable housing project being undertaken by Home Leasing, LLC (Bret Garwood, Chief Executive Officer, 180 Clinton Square, Rochester NY), located at 1614-1624 North Clinton Avenue, 699 East Main Street and 899 Culver Road.

This legislation will:

1. Appropriate \$300,000 of HOME Program funds from the Consolidated Plan/2020-21 Annual Action Plan, Affordable Housing Fund allocation to support the project.
2. Authorize a loan agreement for a \$300,000 permanent loan with Home Leasing, LLC or an affiliated partnership or housing fund development corporation to be formed by Home Leasing, LLC. The permanent loan will be structured as a 30-year, non-amortizing, 1% interest-only, cash-flow dependent loan with principal and deferred interest due at the end of the 30-year term. The project was reviewed and approved by the Loan Review Committee on June 17, 2020. The loan will be funded from the HOME program funds appropriated herein.
3. Authorize the Mayor to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.
4. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein.

The renovation of these three locations total 150 units; 83 studios, 54 one-bedrooms, and 13 two-bedroom apartments. The buildings are currently unregulated. This project will ensure their continued affordability for households with incomes ranging from 30% of AMI to 60% of AMI. In addition, rents range from \$477-\$693. Fifty six (56) of the 150 units will be set aside for supportive housing. Of those, ten units will house previously incarcerated individuals with Spiritus Christi Prison Outreach and 11 units will house individuals with HIV/AIDS in partnership with Trillium Health. Each of the partners has received an Empire State Supportive Housing Initiative (ESSHI) award to provide rental subsidy and support services to the 56 households.

The project scope includes asbestos abatement, new roofs, mechanical systems, electrical and plumbing system upgrades, new windows as needed, new appliances, updated lighting, a security system including cameras and secure entry system, improvements to baths, kitchens and flooring. There will be no non-voluntary displacement. It is anticipated that the residents will remain in the buildings during construction and move into a newly renovated unit when completed. Home

Leasing’s Relocation Coordinator will develop in partnership with the resident an individualized, temporary relocation plan to meet their needs during construction.

The project will receive funding from NYS Homes and Community Renewal, ESL Foundation and the City of Rochester for construction and permanent financing. Home Leasing has been working with tenant advocates and tenants alike to work together to address some of the existing issues at the sites. Home Leasing began managing the property on February 24th, and took ownership on June 8th, 2020.

The sources and uses for the proposed project are summarized below:

USES		PERMANENT SOURCES	
Acquisition	\$6,225,000	Conventional Loan	\$4,000,000
Soft Costs	1,864,252	NYS HCR SBPLP	10,650,000
Hard Costs	8,582,747	NYS HCR HOME	3,500,000
Contingency	858,275	ESL Foundation Loan	250,000
Developer Fee	500,000	City of Rochester Loan	300,000
Reserves	442,050	Deferred Developer Fee	131,324
Working Capital	359,000	TOTAL	\$18,831,324
TOTAL	\$18,831,324		

Workforce goals for the project are 6.9% women and 20% minorities and 25% City residents, along with a combined goal of 30% for MBE/WBE firms.

The PILOT was approved at the PILOT Review Committee meeting on March 19, 2020, and was approved by Council on April 14, 2020 via ordinance 2020-95. A State Environmental Quality Review Act (SEQRA) Review was completed, and the project was determined to be a Type 2 activity. A National Environmental Policy Act (NEPA) review has been initiated and will be completed prior to closing.

This is the first project in Monroe County to utilize NYS Homes and Community Renewal’s recently launched Small Building Participation Loan Program. This program is designed to support renovation projects 5 to 40 units. The 30 year fixed rate loan provides up to \$50,000 per unit, and comes with income limit restrictions for the life of the loan that are compatible with the similar income restrictions imposed by the City and federal HOME funding.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-128

Ordinance No. 2020-216
 (Int. No. 252)

Authorizing a loan agreement for the North Clinton, East Main, Culver Road Rental Housing Project

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

Section 1. The Mayor is hereby authorized to enter into a loan agreement with Home Leasing, LLC or an affiliated partnership or housing development fund corporation formed for the Project (the Developer), for permanent financing of the North Clinton, East Main, Culver Road Rental Housing Project entailing the renovation of approximately 150 residential rental units on three parcels located at 1614-1624 North Clinton Avenue, 699 East Main Street and 899 Culver Road to provide affordable housing, including approximately 56 units of housing for formerly incarcerated individuals, individuals with HIV/AIDS, and others in need of supportive housing (collectively, the Project). The loan shall be in the amount of \$300,000, which shall be funded by HOME Program funds from the Affordable Housing Fund allocation of the Consolidated Plan/2020-21 Annual Action Plan, which amount is hereby appropriated to principal. The loan shall be issued upon completion of Project construction and continue for a term of 30 years. The loan shall be subject to an annual interest rate of 1% due annually if the Developer has sufficient cash flow, with repayment of the loan principal and any unpaid interest due at the end of the loan term.

Section 2. The Mayor is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to legal and other requirements for the Project.

Section 3. The agreement authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-217
Re: Agreement – Charlotte Harbortown Homes, Payment In Lieu of Taxes

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the transfer of the existing tax exemption and payment in lieu of taxes (PILOT) agreement for Charlotte Harbortown Homes, an affordable housing project located at 4575 Lake Avenue, 60 River Street, and 86 River Street, Rochester, NY (the “Project”) to Charlotte Investors Housing Development Fund Company, as nominee for Charlotte Investors, LLC (the “Purchaser”). The Purchaser is an affiliate of Stonebridge GP IV LLC (Eli Mizrahie, Managing Member, 8484 Wilshire Blvd., Suite 760, Beverly Hills, CA).

The Project comprises 553 affordable rental units in two senior high rise buildings and 16 family townhouse buildings at two sites in the Harbortown section of the Charlotte neighborhood in northwest Rochester. It includes 157 studios and 297 one-bedroom units for seniors households, and 35 one-bedroom units, 36 two-bedroom units, 22 three-bedroom units, and 6 four-bedroom units for family households. The Project is subject to income and rent restrictions due to its allocation of Low Income Housing Tax Credits, and all units are covered by project-based Section 8 vouchers and/or are affordable to households earning at or below 60% of Area Median Income (“AMI”).

The Purchaser expects to acquire the Project in July or August 2020. The current property management company, Housing Management Resources, Inc. (Richard Pierce, CEO), will continue to manage the property, and there will be no changes to affordability or operations upon the Purchaser’s acquisition. The Purchaser is receiving permanent acquisition financing from Walker & Dunlop, LLC.

The requested PILOT transfer is necessary to preserve 553 units of affordable housing until at least 2047. The existing PILOT agreement provides an exemption for an annual in-lieu payment equal to 10% of the Project’s shelter rents (gross rents minus utility costs). The term of the PILOT through September 2047 was identified through a legal review by City of Rochester’s Corporation Counsel in 2005. The Project owner at that time, Charlotte Lake River Houses, Inc., obtained financing to undertake significant rehabilitation of the Project. City Council Ordinance No. 2015-357 authorized the transfer of the PILOT agreement to Charlotte-Lake River Homes Housing Development Fund Company, Inc. on November 17, 2015. The transfer was necessary for the owner to change to an Article XI Housing Development Fund Company in order to obtain project-based Section 8 for 400 units.

The PILOT Review Committee approved the PILOT on June 4, 2020. A State Environmental Quality Review Act (SEQRA) Review was completed, and the Project was determined to be a Type 2 activity.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-129

Ordinance No. 2020-217
(Int. No. 253)

Authorizing the transfer of a payment in lieu of taxes agreement for Charlotte Harbortown Homes

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

Section 1. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT agreement) for Charlotte Harbortown Homes, 4575 Lake Avenue (SBL # 47.540-1-41), 60 River Street (SBL # 61.220-1-7) and 86 River

Street (SBL # 61.210-1-23) (the Project) with Charlotte Investors Housing Development Fund Company, as nominee for Charlotte Investors, LLC (Charlotte Investors HDFC). Under the PILOT agreement, Charlotte Investors HDFC shall succeed to the property tax exemption and Project obligations now held by Charlotte-Lake River Homes Housing Development Fund Company, Inc. under the Project's current PILOT arrangement which was authorized by Ordinance No. 2015-357.

Section 2. The PILOT agreement shall provide that the Project remain entitled to a real property tax exemption pursuant to the New York State Private Housing Finance Law, provided that Charlotte Investors HDFC makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 3. The term of the PILOT agreement shall run through September 30, 2047, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated for the purposes of affordable housing in substantial compliance with Article 11 of the New York State Private Housing Finance Law.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmember Evans, Gruber, Lightfoot, Ortiz, Patterson, Peo – 8.

Nays – Councilmember Lupien-1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-218

Re: Agreement – Rochester Careers in Construction, Inc., Project Phoenix

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with Rochester Careers in Construction, Inc. (RCCI), (Joseph Leone, President, 180 Linden Oaks, Rochester, NY) for the Project Phoenix program. The agreement will be funded from 2019-20 Cash Capital. The term of the agreement will be for one (1) year with the option to extend for one additional year if funds remain in the agreement.

RCCI was started in 1998 by the Builders Exchange to meet the future workforce needs of industry contractors. Project Phoenix offers an opportunity for on-the-job training in the construction industry for individuals age 18 to 40. It engages City of Rochester residents to consider pursuing a career in the construction and building trades. The goal is to help facilitate viable employment opportunities and positively address the City of Rochester's critical housing needs. The funds will be used to purchase materials, supplies and tools to operate the program.

A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-130

Ordinance No. 2020-218
(Int. No. 254)

Authorizing an agreement for the Project Phoenix program

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 Rochester Careers in Construction, Inc. for the Project Phoenix program. The maximum compensation for the agreement shall be \$50,000, which shall be funded from 2019-20 Cash Capital. The term of the agreement shall be one year with the option to extend for one additional year if funds remain in the agreement.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance 2020-219
Re: Amendatory Inter-Municipal Agreement- Monroe County, Lead Paint Poisoning Prevention Inspection Services
Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an amendatory inter-municipal agreement with Monroe County for lead paint poisoning prevention inspection services. The original agreement was authorized in February 2019 under Ord. 2019-25 and established \$310,000 as maximum compensation for a term of one year. The Monroe County Legislature approved an amendment to the agreement via resolution 2020-177 on May 26th, 2020. The amendment will extend the term of the agreement by six months through September 30th, 2020, and increase the contract value by \$155,000 to a maximum compensation of \$465,000. All other terms will remain the same.

The funds associated with this agreement provide a reimbursement of expenses related to the enforcement of the City's Lead-Based Paint Poisoning Prevention Ordinance. These funds are part of the State's Lead Primary Prevention Grant dollars provided to Monroe County. The \$465,000 covers visual inspections for lead hazards, Lead Dust Wipe Sampling tests and Clerical and IT support provided by the City of Rochester. This agreement has been in place since October 1, 2007. A chart showing the history of the past eight years of the grant is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-131

Ordinance No. 2020-219
(Int. No. 255)

Authorizing an amendatory intermunicipal agreement with the County of Monroe to fund enforcement of the Lead-Based Paint Poisoning Prevention ordinance

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 intermunicipal agreement with the County of Monroe for the receipt and use of New York State funding to enforce the City's Lead-Based Paint Poisoning Prevention ordinance. The amendments shall increase the amount of funding in the existing agreement authorized by Ordinance No. 2019-25 by \$155,000 to a total amount of \$465,000 and shall extend the existing agreement's term by 6 months to September 30, 2020.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Gruber
July 21, 2020

To the Council:

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

- Int. No. 256 Authorizing an agreement for a Food Waste Prevention, Donation, and Organics Recycling Education and Outreach Program
- Int. No. 257 Authorizing funding and an agreement for the Blue Cross Arena Riverside Addition
- Int. No. 258 Authorizing an agreement for the 965 Maple Street renovation and Forestry Division relocation
- Int. No. 259 Authorizing term agreements for move management services
- Int. No. 260 Authorizing an agreement for Parking Garage Evaluation & Repair Program services
- Int. No. 261 Authorizing term agreements for civil engineering and transportation planning and design services
- Int. No. 262 Authorizing an engineering design services agreement for railroad crossings within the Preventive Maintenance Northwest Group 12 project, **as amended**
- Int. No. 264 Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of the East Main Street Reconstruction (North Goodman Street to Culver Road) transportation federal-aid project, and appropriating funds therefor
- Int. No. 267 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$755,000 Bonds of said City to finance the City's West River Wall Segment 1 Project
- Int. No. 268 Authorizing term agreements for structural engineering services

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

- Int. No. 263 Authorizing an amendatory agreement and geometric changes for the East Main Street Improvement Project
- Int. No. 265 Authorizing geometric changes to pavement widths adjacent to 275 East Avenue (Inner Loop Transformation Site 3)
- Int. No. 266 Approving geometric changes on Exchange Boulevard and the receipt of funding for electrical and lighting improvements related to the West River Wall Segment 1 Project

Respectfully submitted,
Mitch Gruber
Malik Evans
Jose Peo
Willie J. Lightfoot
Loretta C. Scott (*Absent*)

PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-220
Re: Professional Services Agreement – Food Waste Prevention, Donation and Organics Recycling Education and Outreach Program

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing a professional services agreement in the amount of \$50,000 with The Cause Collaborative, Inc. (Rebecca Delaney Johnson, CEO, 55 Railroad Street, Suite 113, Rochester, NY) for services related to the development of a Food Waste Prevention, Donation and Organics Recycling Education and Outreach Program for the City of Rochester.

The cost of the agreement will be financed from \$40,000 in New York State Department of Environmental Conservation (NYSDEC) Municipal Food Scraps Reduction, Food Donation, and Food Scraps Recycling Program grant funds appropriated in August 2019 via Ordinance No.2019-266, and \$10,000 fiscal year 2015-16 cash capital from the Department of Environmental Services.

Developing this education and outreach program will assist the City in raising public awareness about the issue of food waste, ways to prevent food waste, options for food donations and the process for recycling organics (composting) whenever possible. The program will reduce the amount of food waste going to the landfill and result in lower greenhouse gas emissions in accordance with the City of Rochester Community-wide Climate Action Plan.

In April 2020, the City’s Office of Energy and Sustainability solicited proposals to develop a Food Waste Prevention, Donation and Organics Recycling Education and Outreach Program and two firms responded. The Cause Collaborative was selected based on the quality and thoroughness of their proposal, experience and expertise of the proposed project team, ability to meet the City’s schedule, and the reasonableness of the cost of their proposal.

The agreement will have an initial term of two (2) years with provisions for a renewal for an additional one-year period based on mutual written agreement.

The Food Waste Prevention, Donation and Organics Recycling Education and Outreach Program is expected to be completed by June 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-132

Ordinance No. 2020-220
(Int. No. 256)

Authorizing an agreement for a Food Waste Prevention, Donation, and Organics Recycling Education and Outreach Program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with The Cause Collaborative, Inc. to develop a Food Waste Prevention, Donation, and Organics Recycling Education and Outreach Program. The maximum compensation for the agreement shall be \$50,000, which shall be funded from \$40,000 in New York State Department of Environmental Conservation Municipal Food Scraps Reduction, Food Donation, and Food Scraps Recycling Program grant funds appropriated in Ordinance No. 2019-266 and \$10,000 in 2015-16 Cash Capital. The term of the agreement shall be two years with the option to renew for an additional one-year period upon mutual agreement.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-221
 Re: Agreement – Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. Blue Cross Arena Riverside Addition

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Blue Cross Arena Riverside Addition Project. This legislation will:

1. Appropriate \$300,000 in anticipated reimbursements from ROC the Riverway/Upstate Revitalization Initiative funding administered by Empire State Development to finance engineering and design of the project; and,
2. Establish \$300,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro V. Giovenco, C.E.O., 280 East Broad Street, Suite 200, Rochester, NY) for a feasibility analysis, cost estimate, SEQR review and preliminary design work for the proposed Blue Cross Arena Riverside Addition. The cost of the agreement will be financed from anticipated reimbursements appropriated herein.

The concept for the Blue Cross Arena Riverside Addition is an expansion and façade modernization along the Genesee River front. The expansion is envisioned to create space for a terrace level river front restaurant and an expanded concession area from which to view internal events and spectacular Genesee River view sheds simultaneously.

Capital improvements currently funded and underway in the Arena include upgraded restrooms, modernized audio/video infrastructure, and an expansion along Exchange Blvd to upgrade offices, locker rooms, and concession areas.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro V. Giovenco, CEO, 280 East Broad Street, Rochester, NY) was selected for services based on their recent experience with the Blue Cross Arena Upgrades project. A full justification for not issuing a request for proposal is attached. The term of the agreement shall be for a period of one (1) year.

Design will begin in fall 2020. The agreement will result in the creation and/or retention of the equivalent of 3.2 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-133

Ordinance No. 2020-221
 (Int. No. 257)

Authorizing funding and an agreement for the Blue Cross Arena Riverside Addition

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

Section 1. The Council hereby appropriates \$300,000 in anticipated reimbursements from ROC the Riverway/Upstate Revitalization Initiative administered by Empire State Development to fund engineering and design services for the Blue Cross Arena Riverside Addition (the Project). The Mayor is hereby authorized to execute an agreement and such other documents as may be necessary to receive and administer the funding.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide a feasibility analysis, cost estimate, State Environmental Quality Review Act review and preliminary design work for the Project. The maximum compensation for the agreement shall be \$300,000, which shall be funded from the appropriation authorized in Section 1 herein. The term of the agreement shall be 1 year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-222
Re: Agreement – 965 Maple Street Renovation & DES Forestry Division Relocation

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation establishing \$90,000 as maximum compensation for an agreement with Erdman, Anthony and Associates, Inc. (Curt Helman, CEO, 145 Culver Rd., Suite 200, Rochester, NY) for architecture and engineering services for the project. The cost of the project will be financed from 2019-20 Cash Capital.

Erdman Anthony and Associates, Inc. will provide architecture and engineering design and construction oversight services for building modifications at 965 Maple Street to relocate the DES Forestry Division from their current location at 210 Colfax Street to this facility. The Forestry Division will be co-located with DES Park Operations divisions already housed at this location. The move will create greater operational and storage efficiencies.

The term of the agreement shall extend until three (3) months after the completion of the two-year guarantee inspection of the project.

Erdman Anthony and Associates, Inc. was selected for services through a request for proposal process which is described in the attached summary.

Design will begin in fall 2020 with construction anticipated in summer 2021. The project will result in the creation and/or retention of the equivalent of 0.98 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-134

Ordinance No. 2020-222
(Int. No. 258)

Authorizing an agreement for the 965 Maple Street renovation and Forestry Division relocation

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 Erdman, Anthony and Associates, Inc. to provide architecture and engineering design and construction oversight services for building modifications at 965 Maple Street to relocate the Department of Environmental Services' Forestry Division to this facility from its current location at 210 Colfax Street (the Project). The maximum compensation for the agreement shall be \$90,000, which shall be funded from 2019-20 Cash Capital. The term of the agreement shall continue to 3 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.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-223
Re: Move Management Services

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing three (3) agreements with the following companies for services related to Move Management:

1. Vargas Associates Inc. (Christine M. Vargas, C.E.O., 40 Humboldt Street, Suite 101, Rochester, NY)
2. Heather DeMoras Design Consultants, Inc. (Heather DeMoras, President, 3427 Sutherland Road, Penn Yan, NY)
3. Intivity Inc. (Fabricio Morales, C.E.O., 106 Despatch Drive, East Rochester, NY)

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

Similar agreements for move management services have been in place since 2013. Services include, but are not limited to, development and implementation of moving and relocation plans, office equipment and furniture planning and implementation, interior design services, inventory of existing assets, and contractor and vendor coordination.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-135

Ordinance No. 2020-223
(Int. No. 259)

Authorizing term agreements for move management services

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following companies for move management services, including development and implementation of moving and relocation plans, office equipment and furniture planning and implementation, and related services, as required by the City:

Vargas Associates Inc.

Heather DeMoras Design Consultants, Inc.

Intivity Inc.

Section 2. The agreements shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual budgets of the Department of Environmental Services, and if necessary, from capital funds appropriated for specific projects. The compensation for the services provided under the agreements shall be based on pre-specified billing rates established by the City. Those rates may be adjusted at the discretion of the City upon satisfactory justification by the consultant. The term of the agreements shall be three years with the option to renew for two additional years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-224

Re: Agreement – T.Y. Lin International Engineering & Architecture, P.C., Parking Garage Evaluation & Repair Program

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing a professional services agreement with T.Y. Lin International Engineering & Architecture, P.C. (Robert J. Radley, CEO, 245 East Avenue, Rochester NY 14604) for engineering and architectural inspection and design services for the Parking Garage Evaluation & Repair Program. The agreement shall have a maximum compensation of \$400,000 per year. The agreement shall have a term of one (1) year with four (4) optional one year renewals. The cost of the agreement shall be funded from the 2019-20 Parking Cash Capital allocation, and any renewals shall be funded from the Parking Cash Capital allocation or a Bond Ordinance adopted and appropriated for said purpose in subsequent budgets, contingent upon the adoption of said budgets.

The Parking Garage Evaluation and Repair Program, created in 2009, is an annual parking garage inspection and repair program for preserving the safety, structural integrity and service life of eight City owned parking garages as follows: Court Street Garage, East End Garage, Genesee Crossroads Garage, High Falls Garage, Mortimer Street Garage, Sister Cities Garage, South Avenue Garage, and the Washington Square Garage.

T.Y. Lin International will perform parking garage inspection and evaluation and prepare condition assessment reports for each parking garage in accordance with NYS requirements, develop prioritized short and long term capital planning and repair strategies, and design and prepare annual construction documents for the City’s garage repair contracts.

T.Y. Lin International was selected through a Request for Proposal process which is described in the attached summary. Inspection and design services will begin in summer 2020, with construction of the 2021 annual repair contract anticipated to begin early 2021. The agreement will result in the creation and/or retention of the equivalent of 4.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-136

Ordinance No. 2020-224
(Int. No. 260)

Authorizing an agreement for Parking Garage Evaluation & Repair Program 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 T.Y. Lin International Engineering & Architecture, P.C. to provide engineering and architectural inspection and design services for the Parking Garage Evaluation & Repair Program for City-owned parking garages. The term of the agreement shall be 1 year, with options to extend the term for up to four periods of 1 year each. The maximum annual compensation for the agreement shall be \$400,000, which shall be funded from 2019-20 Cash Capital. The compensation for subsequent optional extended term years, if any, shall be funded from the parking Cash Capital allocations of subsequent Budgets or a bond ordinance adopted and appropriated for said purpose, contingent upon their adoption.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2020-225
Civil Engineering Professional Term Services Agreements

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to civil engineering and transportation planning and design. This legislation will authorize five (5) separate Professional Term Service Agreements with the following companies:

1. Joseph C. Lu Engineering, P.C. (Cletus O. Ezenwa, C.E.O., 339 East Avenue, Suite 200, Rochester, NY)
2. Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.(Pietro V. Giovenco, C.E.O., 280 East Broad Street, Suite 200, Rochester, NY)
3. Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (Jo Anne C. Gagliano, President, 274 North Goodman Street, Rochester, NY)
4. Fisher Associates, P.E., L.S., L.A., D.P.C. (Roseann B. Schmid, C.E.O., 180 Charlotte Street, Rochester, NY)
5. Greenman-Pedersen, Inc. (Christer Ericsson, C.E.O., 400 Andrews Street, Suite 610, Rochester, NY)

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-137

Ordinance No. 2020-225
(Int. No. 261)

Authorizing term agreements for civil engineering and transportation planning and design services

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following companies for civil engineering and transportation planning and design services as required by the City:

Joseph C. Lu Engineering, P.C.

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

Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C

Fisher Associates, P.E., L.S., L.A., D.P.C.

Greenman-Pedersen, Inc.

Section 2. The agreements shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual budgets of the Department of Environmental Services, and if necessary, from capital funds appropriated for specific projects. The compensation for the services provided under the agreements shall be based on pre-specified billing rates established by the City. Those rates may be adjusted at the discretion of the City upon satisfactory justification by the consultant. The term of the agreements shall be three years with the option to renew for two additional years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-226
Re: Agreement – CSX Transportation, Inc., Design Services, Preventive Maintenance Northwest Group 12 – Driving Park Avenue (CSX Railroad to Finch St.), Emerson Street (Mt. Read Blvd. to Sherman St.), and Jay Street (Mt. Read Blvd. to CSX Railroad)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation which will establish \$25,000 as total maximum compensation for an agreement with CSX Transportation, Inc., (Jacksonville, Florida) for engineering design services. The cost of the agreement will be funded from 2016-17 Cash Capital.

The agreement with CSX is required to provide for engineering design services for at-grade railroad crossings on Emerson Street and Jay Street. The term of the agreement will extend until five (5) years after project completion.

Construction is anticipated to begin in spring 2021 and completed in fall 2021. The agreement will result in the creation and/or retention of the equivalent of 0.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-138

Ordinance No. 2020-226
(Int. No. 262), as amended

Authorizing an engineering design services agreement for railroad crossings within the Preventive Maintenance Northwest Group 12 project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with CSX Transportation, Inc. to provide engineering design services for at-grade railroad crossings on Emerson Street and Jay Street as part of the Preventive Maintenance Northwest Group 12 project. The maximum total compensation for the agreement shall be ~~\$25,000~~ \$35,000 and said amount, or so much thereof as may be necessary, shall be funded from 2016-17 Cash Capital. The term of the agreement shall extend until 5 years after project completion.

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

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-227
Resolution No. 2020-26
Re: East Main Street Improvement Project

Council Priority: Creating and Sustaining a Culture of Vibrancy and Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the East Main Street Improvement Project. This legislation will:

1. Amend Section 1 of Ordinance No. 2018-103, as amended by Ordinance No. 2020-40, which established the maximum compensation for a professional services agreement with Erdman, Anthony and Associates, Inc. (Curt Helman, C.E.O., 145 Culver Road, Suite 200, Rochester, New York) for design services related to this project, by increasing the maximum compensation by \$95,212 to a total of \$1,095,212 to commit additional local funding to align with the requirements set forth by New York State Department of Transportation (NYSDOT) who is administering the grant agreement for the Federal Highway Administration (FHWA) per Ordinance 2020-40. The additional fund will be funded by 2018-19 cash capital.
2. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City's prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.
3. Authorize changes in pavement width required as follows:
 - a) A tapered variable decrease in pavement width from approximately 73 feet wide to 33 feet wide, beginning at North Goodman Street and continuing eastward approximately 400 feet, and;
 - b) A decrease in pavement width of 17 feet, from 50 feet to 33 feet, beginning approximately 400 feet east of North Goodman Street for a distance of approximately 4,200 feet to Culver Road.

This is a Federal Aid Project that is administered by the City under agreement with the NYSDOT.

The Project includes street reconstruction of East Main Street from North Goodman Street to Culver Road. Improvements include new sidewalks and curb ramps, bicycle accommodations, driveway aprons, receiving basins, water main, water services, hydrants, lighting, signals, signage, pavement markings, tree plantings, and other various streetscape improvements. The project is being designed by Erdman, Anthony and Associates, Inc. (Ordinance No. 2018-103 and Ordinance No. 2020-40).

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

Public meetings were held on February 28, 2019 and January 23, 2020. Copies of the meeting minutes are attached. An additional public information meeting will be held prior to the public bid for construction. The pavement width changes were endorsed by the Traffic Control Board at the May 20, 2020 meeting.

A public hearing on the pavement width changes is required.

It is anticipated the design and property acquisitions will be completed in summer 2020 and construction will begin in early 2021 with substantial completion by fall 2022.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-139

Ordinance No. 2020-227
(Int. No. 263)

Authorizing an amendatory agreement and geometric changes for the East Main Street Improvement Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Erdman, Anthony and Associates, Inc. to provide additional design services for the East Main Street Improvement Project (Project). The amendatory agreement shall amend the professional services agreement authorized in Ordinance No. 2018-103, and as amended by Ordinance No. 2020-40, to increase the maximum compensation by \$95,212 to a new total of \$1,095,212. The increase in compensation shall be funded from 2018-19 Cash Capital.

Section 2. The Council hereby approves the following changes in the pavement width of East Main Street for the Project:

- a) A tapered variable decrease in pavement width from approximately 73 feet wide to 33 feet wide, beginning at North Goodman Street and continuing eastward approximately 400 feet; and
- b) A decrease in pavement width of 17 feet, from 50 feet to 33 feet, beginning approximately 400 feet east of North Goodman Street and continuing eastward for a distance of approximately 4,200 feet to Culver Road.

The pavement width changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2020-26
(Int. No. 264)

Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of the East Main Street Reconstruction (North Goodman Street to Culver Road) transportation federal-aid project, and appropriating funds therefor

WHEREAS, a project for East Main Street Reconstruction (North Goodman Street to Culver Road), P.I.N. 4CR0.05 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of design, right-of-way (ROW) acquisition and ROW Incidentals.

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

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

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the design, ROW acquisition and ROW Incidentals for the Project or portions thereof;

THAT the sum of \$1,103,212 appropriated pursuant to Ordinance No. 2018-103 as amended by Ordinance No. 2020-40 (\$1,008,000) and Ordinance No. 2020-227 (\$95,212) is available to cover the cost of participation in the above described phases of the Project;

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-228
Re: Geometric Changes – 275 East Avenue (Inner Loop Site 3)

Council Priority: Creating and Sustaining a Culture of Vibrancy and Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing geometric changes related to the property at 275 East Avenue, Site 3 of the Inner Loop Transformation project. The property is being developed by Trillium Health and Home Leasing as a mixed-use development.

Geometric changes on South Union Street include the following:

- 1) Widening South Union Street by 8 feet from a current width of 48 feet to a proposed width of 56 feet from 133 feet north of East Broad Street to 200 feet north of East Broad Street and;
- 2) Change in pavement width on East Broad Street by 8 feet from a current width of 39 feet to a proposed width of 47 feet from 22 feet west of South Union Street to 63 feet west of South Union Street.

These changes will create additional recessed parking, and facilitate a greater level of pedestrian safety to align with the construction of the new mixed-use development.

A public informational meeting was held on January 25, 2019. No one attended this meeting. The geometric changes required for the project were endorsed by the Traffic Control Board on February 5, 2019.

Construction is anticipated to begin in fall of 2020, and completion is anticipated by spring of 2021.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-140

Ordinance No. 2020-228
(Int. No. 265)

Authorizing geometric changes to pavement widths adjacent to 275 East Avenue (Inner Loop Transformation Site 3)

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

Section 1. The Council hereby approves the following changes in the pavement widths of South Union Street and East Broad Street:

- a) Widening South Union Street by 8 feet from a current width of 48 feet to 56 feet, beginning 133 feet north of East Broad Street and continuing northward to 200 feet north of East Broad Street; and
- b) Widening East Broad Street by 8 feet from a current width of 39 feet to 47 feet, beginning 22 feet west of South Union Street and continuing westward to 63 feet west of South Union Street.

The pavement width changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-229
Ordinance No. 2020-230
Re: West River Wall Project

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods & Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the West River Wall Project (Ford Street to Corn Hill Landing). This legislation will:

1. Authorize geometric changes for the Project on Exchange Boulevard at the intersection with Fitzhugh Place for a length of approximately 85 feet centered on the Fitzhugh Place intersection, the east and west curb lines of Exchange Boulevard will each be brought in by 7 feet to narrow the roadway by a total of 14 feet. Total roadway width will be reduced from 64 feet to 50 feet.
2. Authorize the receipt and use of \$200,000 in funding from the Rochester Gas & Electric (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program, for electrical infrastructure and lighting improvements; and,
3. Authorize the issuance of bonds totaling \$755,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction for the project.

This project has been identified as part of the ROC The Riverway initiative, a plan to revitalize the severely underutilized Genesee Riverfront in the core of the City of Rochester. The project leverages years of planning and public investment in the Corn Hill and Plymouth Exchange neighborhoods, in large part spurred by the Corn Hill Vision Plan, West River Wall Waterfront Master Plan, and Vacuum Oil Brownfield Opportunity Area Master Plan, all large-scale planning projects completed in collaboration with the neighborhoods, the New York State Department of State, New York State Canal Corporation (NYSCC), and private sector developers and investors.

The project area is defined as the Corn Hill waterfront and is located along the west bank of the Genesee River occupying an approximately 4 acre site that extends approximately 2,200 feet in the north-south direction from Ford Street to the Corn Hill Landing Development and approximately 80 feet in the east-west direction from the Genesee River to Exchange Boulevard. The property has two principal owners: the NYSCC, which owns and maintains the wall and the City, which owns and maintains the adjacent riverfront property. This property serves as a primary corridor into Center City and is part of the Genesee Riverway Trail system.

The project area is characterized by a crumbling concrete flood control wall, overgrown vegetation, and lack of public access. Restoration of the wall will provide an enhanced gateway to downtown, support the community vision, support the goals of the Federal Emergency Management Agency (FEMA), and improve public access to the Genesee River.

The scope of the project consists of reconstruction and/or rehabilitation of the flood protection wall, construction of a new park and pedestrian plaza, and installation of an ADA accessible boat launch. The project also includes traffic calming measures through the construction of a raised table intersection and a reduction in pavement width at the Exchange Boulevard and Fitzhugh Place. The project will improve flood protection, physical/visual access to the waterfront, access to the Genesee Riverway Trail, and contribute to overall revitalization of a regionally significant area located between Downtown Rochester and the University of Rochester, the region's largest employer.

Details of the project were presented to Council in transmittal letters accompanying Ordinance No. 2017-332, Ordinance No. 2017-333 and Ordinance No. 2019-373.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro V. Giovenco, CEO, 280 East Broad Street, Rochester, NY) is the design consultant for the project as authorized by Ordinance No. 2017-332 and amended by Ordinance No. 2020-200.

Joseph C. Lu Engineering, P.C., (Cletus O. Ezenwa, CEO, 339 East Avenue, Suite 200, Rochester, NY) was selected for RPR Services for Segment 1 (Corn Hill) through a Request for Proposal process, as authorized by Ordinance No. 2020-200.

Bids for construction were received on May 12, 2020. The apparent low bid of \$5,433,889.50 was submitted by Ramsey Constructors, Inc. (Christopher Ramsey, CEO, 5711 Gateway Park, Lakeville, NY). The project will be funded as follows:

	Construction	RPR	Contingency	Total
NYS Canal Corporation funds authorized Ordinance No. 2017-332	4,200,000	0	0	\$4,200,000.00
Bonds authorized Ordinance No. 2017-333	349,000	775,000	0	\$1,124,000
Bonds authorized herein	485,480.97	0	269,519.03	\$755,000
RG&E Grant authorized herein	200,000.00	0	0	\$200,000.00
2016-17 Cash Capital	12,889.41	0	625.78	\$13,515.19
2018-19 Cash Capital	150,000.00	0	0	\$150,000.00
Pure Waters Reimbursement authorized Ordinance No. 2019-190	36,519.12	0	1,825.96	\$38,345.08
Total	\$5,433,889.50	\$775,000	\$271,970.77	\$6,480,860.27

Construction is anticipated to begin in summer 2020 with substantial completion in fall 2021. The construction funds appropriated herein will result in the creation and/or retention of the equivalent of 8.2 full-time jobs.

The geometric changes required for the project were endorsed by the Traffic Control Board on February 5, 2020.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-141

Ordinance No. 2020-229
(Int. No. 266)

Approving geometric changes on Exchange Boulevard and the receipt of funding for electrical and lighting improvements related to the West River Wall Segment 1 Project

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

Section 1. The Council hereby approves narrowing the pavement width of Exchange Boulevard by bringing in each of the east and west curb lines by 7 feet to narrow the roadway by a total of 14 feet for a length of approximately 85 feet that is centered on the Fitzhugh Place intersection. The geometric changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 2. The Council hereby authorizes the receipt and use of \$200,000 in funding from the Rochester Gas and Electric Corporation (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program for electrical infrastructure and lighting improvements relating to the West River Wall Segment 1 Project (Ford Street to Corn Hill Landing).

Section 3. The Mayor is hereby authorized to enter into any agreements and to execute such documentation as are necessary to effectuate the Project funding authorized herein and such agreements and documents shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-230
(Int. No. 267)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$755,000 Bonds of said City to finance the City's West River Wall Segment 1 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 construction of the West River Wall Segment 1 Project, including reconstruction of the flood control wall and ancillary amenities on the west side of the Genesee River from Ford Street to Corn Hill Landing (the "Project"). The estimated maximum cost of said class of objects or purposes of Phase I of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,480,860. The plan of financing includes the issuance of \$755,000 bonds of the City authorized herein, and said amount is hereby appropriated therefor, a \$4,200,000 grant from the NYS Canal Corporation appropriated in Ordinance No. 2017-332, \$1,124,000 in proceeds of bonds authorized and appropriated in Ordinance No. 2017-333, \$200,000 in funding from the Rochester Gas and Electric Corporation (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program appropriated in Ordinance No. 2020-229, \$13,515 in 2016-17 Cash Capital, \$150,000 in 2018-19 Cash Capital, \$38,345 in reimbursements from the Rochester Pure Waters District appropriated in Ordinance No. 2019-190 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 \$755,000 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 \$755,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 3. of the Law, is thirty (30) years.

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-231
Re: Structural Term Engineering Services

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to structural engineering. This legislation will authorize five (5) separate Professional Term Service Agreements with the following companies:

1. T.Y. Lin International Engineering & Architecture, P.C. (Robert J. Bradley, C.E.O., 245 East Avenue, Rochester, NY)
2. Ravi Engineering and Land Surveying, P.C. (Nagappa Ravindra, C.E.O., 2110 South Clinton Ave, Suite 1, Rochester, NY)
3. Popli, Architecture + Engineering & LS, D.P.C. (Om P. Popli, C.E.O., 555 Penbrooke Drive, Penfield NY)
4. Labella Associates, D.P.C. (Steven Metzger, C.E.O., 300 State Street, Suite 201, Rochester, NY)
5. Jensen/BRV Engineering, PLLC (Stephen Rudnicki, C.E.O., 1653 East Main Street, Suite 4, Rochester, NY)

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-142

Ordinance No. 2020-231
(Int. No. 268)

Authorizing term agreements for structural engineering services

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

Section 1. The Mayor is hereby authorized to enter into term agreements with the following consultants for various professional services related to structural engineering:

- a. T.Y. Lin International Engineering & Architecture, P.C.
- b. Ravi Engineering and Land Surveying, P.C.
- c. Popli, Architecture + Engineering & LS, D.P.C.
- d. Labella Associates, D.P.C.
- e. Jensen/BRV Engineering, PLLC

Each agreement shall have a term of 3 years with the option to renew for up to two additional years. The compensation for the services provided under the agreements shall be based on pre-specified billing rates established by the City. Those rates may be adjusted at the discretion of the City upon satisfactory justification by the consultant. The compensation for services provided shall be funded from the annual budgets of Department of Environmental Services or from capital funds appropriated for specific projects.

Section 2. The agreements 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.

By Vice President Lightfoot
July 21, 2020

To the Council:

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

- Int. No. 269 Appropriating funds and authorizing an agreement with Rochester Area Crime Stoppers, Inc.
- Int. No. 271 Authorizing an agreement for a Department of Justice Coronavirus Emergency Supplemental Funding Program grant
- Int. No. 272 Authorizing an amendatory agreement for Conflict Counsel services
- Int. No. 273 Amending the 2020-21 Police Department Budget and appropriating federal forfeiture funds to acquire seized vehicles
- Int. No. 274 Appropriating funds and amending the budget for the operations of the Greater Rochester Area Narcotics Enforcement Team
- Int. No. 275 Authorizing an agreement relating to the Gun Involved Violence Elimination initiative grant
- Int. No. 276 Authorizing amendatory agreements for vehicle towing services
- Int. No. 277 Authorizing an intermunicipal agreement for veterinary technology student externships
- Int. No. 278 Authorizing the receipt and use of United States Department of Homeland Security funds to investigate organized narcotics trafficking and violence
- Int. No. 279 Authorizing an agreement and budgeting for an Animal Services Pet Foster Care Stimulus Grant

Int. No. 280	Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,136,000 Bonds of said City to finance the replacement of one Engine Pumper at the Lyell Avenue Firehouse and one Engine Pumper at the North Clinton Avenue Firehouse
Int. No. 281	Authorizing an amendatory agreement related to firefighter recruit training
Int. No. 282	Appropriating funds for the Smoke and Carbon Monoxide Detectors Installation Program
Int. No. 283	Authorizing an agreement for the Champion Academy Mentoring and Empowerment Initiative
Int. No. 284	Authorizing an agreement for a competitive swimming program for youth
Int. No. 285	Authorizing funding and an agreement for La Marketa at the International Plaza
Int. No. 286	Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,500,000 Bonds of said City to finance the replacement of mobile and portable radio equipment and the installation of a new station alerting system for the Rochester Fire Department
Int. No. 293	Authorizing a grant agreement for the 2020 Cool Sweep program

The following entitled legislation is being **HELD** in Committee:

Int. No. 270	Amending an intermunicipal agreement with the School District for traffic and crowd control services
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Respectfully submitted,
 Willie Lightfoot (*Abstained on Int. No. 269*)
 Mitch Gruber (*Voted against on Int. No. 271, 274 and 275*)
 LaShay D. Harris
 Jose Peo
 Loretta C. Scott (*Absent*)
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2020-232
 Re: Appropriation - Federal Forfeiture Funds for Crime Stoppers

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to federal forfeited property revenues attributable to the Rochester Police Department (RPD). This legislation will:

1. Appropriate \$15,000 in RPD federal forfeiture funds to support Rochester Area Crime Stoppers, Inc. and amend the 2020-21 Budget of the Police Department by said amount.
2. Establish \$15,000 as maximum compensation for an agreement with Rochester Area Crime Stoppers, Inc., (Chairperson: Paul Hawkins) an organization that promotes anonymous crime tips and provides rewards for tips that result in arrests. The cost of this agreement will be funded from the 2020-21 Budget of the Police Department and have a term of one year.

Rochester Area Crime Stoppers, Inc. also publishes the *Fugitive Flyer* to assist local law enforcement in arresting felony fugitives, and produces public awareness materials geared towards eliminating gun violence.

The appropriations requested this month will result in a balance of approximately \$614,600 in the federal forfeiture justice fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-232
(Int. No. 269)

Appropriating funds and authorizing an agreement with Rochester Area Crime Stoppers, Inc.

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

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$15,000, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets to support the Crime Stoppers program.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Rochester Area Crime Stoppers, Inc., an organization that promotes anonymous crime tips and provides rewards for tips that result in arrests. The maximum compensation for the agreement shall be \$15,000, and said amount shall be funded from the 2020-21 Budget of the Police Department. The term of the agreement shall be one year.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Ortiz, Patterson, Peo -7

Nays – Councilmember Lupien -1

Vice President Lightfoot abstained due to a professional relationship.

Vice President Lightfoot motioned to move Int. No. 270 from committee

Councilmember Evans seconded the motion

Motion Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Lightfoot, Ortiz, Patterson, Peo -6

Nays – Councilmembers Gruber, Lupien -2

Councilmember Harris abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-233
Re: Amendment – Ordinance No. 2020-152

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance No. 2020-152 relating to an Inter-municipal Agreement with the Rochester City School District (RCSD) for traffic and crowd control services provided by the Rochester Police Department.

RCSD has requested assignment of Police Officers on a reimbursable overtime basis for traffic and crowd control, or events sponsored in part or in full by RCSD, such as football games, basketball games, graduation ceremonies, proms, and school dances.

Ordinance No. 2020-152 authorizes an agreement with RCSD for a maximum amount of \$50,000. The RCSD has increased the amount of the agreement to \$60,000 for 2020-21. Therefore, Ordinance No. 2020-152 Section 1 is amended from "The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District ("RCSD") in the maximum amount of \$50,000 for the reimbursement of traffic and crowd control services provided by the Rochester Police Department at events sponsored by the RCSD" to "The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District ("RCSD") in the maximum amount of \$60,000 for the reimbursement of traffic and crowd control services provided by the Rochester Police Department at events sponsored by the RCSD."

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-233
(Int. No. 270)

Amending an intermunicipal agreement with the School District for traffic and crowd control services

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

Section 1. Section 1 of Ordinance No. 2020-152 is hereby amended to read in its entirety as follows:

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District ("RCSD") in the maximum amount of ~~\$50,000~~ \$60,000 for the reimbursement of traffic and crowd control services provided by the Rochester Police Department at events sponsored by the RCSD. The term of the agreement shall be from July 1, 2020 through June 30, 2021. The anticipated reimbursements from the RCSD under the agreement are hereby appropriated for the costs of providing such traffic and crowd control services.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Lightfoot, Ortiz, Patterson, Peo -6

Nays – Councilmember Gruber, Lupien -2

Councilmember Harris abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-234
Re: Agreement – Department of Justice Coronavirus Emergency Supplemental Funding Program grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with the U.S. Department of Justice, Office of Justice Programs, for the receipt and use of \$474,300 for the Bureau of Justice Assistance FY 20 Coronavirus Emergency Supplemental Funding Program grant and amending the 2020-21 Budget of the Police Department (\$131,700) and Undistributed Expenses (\$41,800) to reflect a portion of this grant.

The total funds will be shared between the Police Department (\$304,040) and the Fire Department (\$170,260) and will be used to purchase supplies related to preparing for, preventing, and responding to the coronavirus; police overtime costs (including fringe); and fitting of N-95 masks for police.

The term of this agreement is January 20, 2020 through January 31, 2022 with a possible extension of one additional year. This is the first time the City is receiving these funds.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-234
(Int. No. 271)

Authorizing an agreement for a Department of Justice Coronavirus Emergency Supplemental Funding Program 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 the U.S. Department of Justice for the receipt and use of a \$474,300 grant from the Bureau of Justice Assistance FY 20 Coronavirus Emergency Supplemental Funding Program. Said funds are hereby appropriated to the Police Department in the amount of \$304,040 and to the Fire Department in the amount of \$170,260 for supplies and personnel costs related to preparing for, preventing and responding to the coronavirus pandemic. The term of the agreement shall be January 20, 2020 through January 31, 2022, with the option to extend for 1 year.

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

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$131,700 and to the Budget of Undistributed Expenses by the sum of \$41,800, from portions of the grant funds appropriated in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo - 8

Nays – Councilmember Gruber-1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-235
Re: Amendatory Agreement –Law Offices of Pullano & Farrow PLLC, Conflict Counsel

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Law Offices of Pullano & Farrow PLLC, (Managing Partner: Brett Farrow) located at 69 Cascade Drive, Rochester, 14614 to extend the agreement for one year. The maximum compensation for the renewal period shall be \$82,500 which shall be funded from the unspent portion of the funds that were authorized in Ordinance No. 2018-142.

The Law Offices of Pullano & Farrow PLLC represent the Rochester Police Department in employee disciplinary hearings conducted pursuant to New York Civil Service Law Section 75 and the City's collective bargaining agreement with the police union, where the Chief of Police has sustained allegations of misconduct against a police officer or other Rochester Police Department employee, and where the City Law Department has a conflict of interest.

Pullano & Farrow was selected through a request for proposal process in 2018 and was approved by City Council in Ordinance No. 2018-142. The term of the agreement will be extended for one additional year, through June 17, 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-235
(Int. No. 272)

Authorizing an amendatory agreement for Conflict 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 an amendatory professional services agreement with the Law Offices of Pullano & Farrow PLLC to continue providing legal services as Conflict Counsel. The amendatory agreement shall amend the professional services agreement authorized in Ordinance No. 2018-142 to extend the term for one additional year through June 17, 2021. The maximum compensation for the additional term shall be \$82,500, which shall be funded from the unspent portion of the funds that were authorized for the agreement's first two years in Section 2 of Ordinance No. 2018-142.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-236
Re: Federal Forfeiture Funds – Seized Vehicles

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating up to \$5,000 from federal forfeiture funds generated by the Rochester Police Department and amending the 2020-21 Budget of the Police Department by this amount.

On occasion, the Police Department is involved with an investigation that seizes a vehicle, and as a result of the seizure, has the opportunity to take ownership of the vehicle by paying the U.S. Marshals Service for only sharing and processing costs. The sharing and processing costs vary based on the vehicle, but are usually less than \$2,500 per vehicle. Prior to taking ownership of a seized vehicle, it is checked by personnel from the Mt. Read garage to verify that it is in good condition and fleet worthy. The newly acquired vehicles are used to replace older vehicles that are in poor condition in the Special Investigations Section's fleet.

This appropriation will allow for the purchase of up to two vehicles throughout the year if the opportunities arise. Federal Sharing Guidelines consider this type of expense to be an appropriate use of forfeiture funds.

The appropriations requested this month will result in a balance of approximately \$614,600 in the federal forfeiture justice fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-236
(Int. No. 273)

Amending the 2020-21 Police Department Budget and appropriating federal forfeiture funds to acquire seized vehicles

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

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by \$5,000, which amount is hereby appropriated from funds received from the Federal Government from seized and forfeited assets. The appropriation herein shall be used for the sharing and processing costs to acquire up to two seized vehicles.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Harris, Gruber, Lightfoot, Ortiz, Patterson, Peo -8

Nays – Councilmember Lupien-1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-237

Re: Appropriation of Forfeiture Funds – GRANET Operations

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$200,000 from federal forfeited property revenues attributable to the Greater Rochester Area Narcotics Enforcement Team (GRANET), and amending the 2020-21 Budget of the Police Department to reflect this amount.

These funds will be used to support GRANET operations for the 2020-21 fiscal year. GRANET participates in joint investigations which include Federal, State, and other local law enforcement agencies. The mission of GRANET is to achieve maximum coordination and cooperation among participating agencies; bring to bear their combined resources to investigate mid- and upper-level narcotics and illegal weapons offenses; and aggressively investigate career criminals in the Greater Rochester/Monroe County area, utilizing both State and Federal laws.

Under the current Memorandum of Understanding among the participating agencies, GRANET will share in any properties or funds confiscated as a direct result of a criminal investigation initiated by GRANET, pursuant to forfeiture regulations of the United States Departments of Justice and Treasury, and the Attorney General.

GRANET will use asset forfeiture funds for operational expenses including communications, electronic surveillance, confidential funds, vehicle rentals for undercover operations, supplies, and training. The proposed expenditures conform to the U.S. Department of Justice, Criminal Division, Money Laundering and Asset Recovery Section’s Guidelines to Equitable Sharing for State and Local Law Enforcement Agencies. Salaries and overtime for participants will continue to be paid by each officer’s respective agency.

GRANET is a multi-jurisdictional team comprised of local and federal agencies. As a participant of the team, the City administers GRANET’s equitable share of federal forfeiture funds, and keeps a separate accounting for these funds. The undesignated balance in GRANET’s forfeiture fund after this transfer is estimated at \$153,900.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-237
(Int. No. 274)

Appropriating funds and amending the budget for the operations of the Greater Rochester Area Narcotics Enforcement Team

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

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by the sum of \$200,000, which amount is hereby appropriated from funds realized from seized and forfeited assets to fund the operations of the Greater Rochester Area Narcotics Enforcement Team (GRANET).

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Ortiz, Patterson, Peo -7

Nays – Councilmember Gruber, Lupien-2.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-238

Re: Agreement – New York State Division of Criminal Justice Services, 2020-21 GIVE Grant

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 Division of Criminal Justice Services (DCJS) grant. This legislation will:

1. Authorize an agreement with DCJS for the receipt and use of a Gun Involved Violence Elimination (GIVE) grant in the amount of \$676,300 for the term of July 1, 2020 to June 30, 2021;
2. Establish \$31,000 as maximum compensation for an agreement with PathStone Corporation (President: Alexander Castro) to cover the cost of direct service provider case management for focused deterrence participants. The agreement will be funded from the 2020-21 Budget of the Police Department and have a term of one year, from July 1, 2020 to June 30, 2021.

This grant will build on the success of previous GIVE funding and support the continued work of a County-wide criminal justice taskforce to reduce violent crime in Rochester. GIVE strategies are exclusively focused on firearm related crime, primarily shootings and homicides. Methods of reducing firearm violence will be based upon empirically derived best-practices that focus on violent dispute intervention and resolution; deterring access to illegal firearms; and implementing offender-based tactics and place-based tactics. Taskforce priorities and activities are based on crime and crime response data.

The grant includes \$385,800 in overtime, but does not pay for the associated fringe cost of \$122,646. PathStone Corporation will receive \$31,000 as a sub-grantee to cover the cost of direct service provider case management for the focused deterrence participants. PathStone Corporation will employ one part-time case worker (20 hours per week) to manage the coordination of community-based services. Rochester Institute of Technology will receive \$234,300 to employ a GIVE Director, GIVE Analyst, and a Community Engagement Communications Specialist to work with the taskforce (approved in Ordinance 2018-251). The remaining \$25,200 will be used to purchase supplies for custom notifications, rental cars for undercover details, and training required by DCJS. No matching funds are required. This will be the seventh year RPD has received this award.

A Justification statement for not issuing a Request for Proposal for PathStone Corporation is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-143

Ordinance No. 2020-238
(Int. No. 275)

Authorizing an agreement relating to the Gun Involved Violence Elimination initiative 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 the New York State Division of Criminal Justice Services for the receipt and use of a \$676,300 Gun Involved Violence Elimination (GIVE) initiative grant. The term of the agreement shall be one year from July 1, 2020 through June 30, 2021.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with PathStone Corporation to provide case management services for participants in the GIVE initiative's focused deterrence program. The

maximum compensation for the agreement shall be \$31,000, and said amount shall be funded from the 2020-21 Budget of the Police Department. The term of the agreement shall be one year from July 1, 2020 through June 30, 2021.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Ortiz, Patterson, Peo -7

Nays – Councilmember Gruber, Lupien-2

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-239
Re: Agreements – Vehicle Towing Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing amendatory agreements with the following firms for towing of standard vehicles. The amendments will extend the current agreements for one year, through August 31, 2021. The cost of the agreements will be funded from the 2020-21 Budget of the Police Department and the 2021-22 Budget of the Police Department contingent upon approval.

<u>Company</u>	<u>Address (Rochester)</u>	<u>Principal</u>
Alliance Collision Inc.	532 North Street	Daniel Tantalo
East Avenue Auto	1656 East Avenue	Paul Marone
John & Son Collision	4 Niagara Street	Michael Piacente
Excel Service & Towing	95 Seneca Avenue	Scott Chapman

These firms have satisfactorily provided services to the City since October 1, 2012 and were initially selected through a request for proposal process. The current agreements for towing services, authorized in Ordinance No. 2015-277, will expire on August 31, 2020. The proposed amendments will extend the agreements for one additional year, allowing the City time to prepare and post a request for interest from towing companies within the City.

Private firms are hired by the City to provide towing of illegally parked, damaged, disabled, recovered stolen, and abandoned vehicles. Assignments for the towing of standard vehicles are rotated among the companies contracted for that service. The City sets the rates for towing services as opposed to the rates being submitted through a bid process. Also, the City requires interested towing companies to meet certain requirements, including but not limited to, facilities for the dispatch of tow trucks, no less than 7,500 square feet of space for storage of towed vehicles, at least 4 operating tow trucks on a year-round basis, and specific carry-on equipment (ex. spotlights, push broom, fire extinguisher, etc.).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-239
(Int. No. 276)

Authorizing amendatory agreements for vehicle towing services

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

Section 1. The Mayor is hereby authorized to enter into amendatory towing services agreements with Alliance Collision Inc., East Avenue Auto, John & Son Collision, and Excel Service & Towing. The amendatory agreements shall amend the towing services agreements authorized in Ordinance No. 2015-277 to extend the term for one additional year through August 31, 2021.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-240
Re: Inter-Municipal Agreement –Genesee Community College, Veterinary Technology Student Externships

Council Priority: Better Schools and Educational Opportunities

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Growth

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with Genesee Community College (GCC) for the placement of veterinary technology students in externships at Rochester Animal Services. There is no cost for this agreement.

Through this agreement, GCC veterinary technology students will obtain clinical experience at Rochester Animal Services. The term of the agreement is September 1, 2020 through August 31, 2021 with up to four additional one-year renewal periods upon mutual consent of both parties. Animal Services and GCC have entered into similar agreements since 2011 and find the relationship mutually beneficial.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-240
(Int. No. 277)

Authorizing an intermunicipal agreement for veterinary technology student externships

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with Genesee Community College for the placement of veterinary technology students in externships at Rochester Animal Services. No monetary compensation shall be provided. The term of the agreement shall be one year with the option to renew for up to four additional one-year periods upon mutual agreement.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-241
Re: Receipt and Use of Funds from United States Department of Homeland Security

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation for the receipt and use of \$9,500 from the United States Department of Homeland Security and amending the 2020-21 Budget of the Police Department by this amount.

The United States Department of Homeland Security is providing \$9,500 as part of a joint investigation targeting an organization involved in trafficking narcotics and violence in the City of Rochester. These funds do not include fringe benefits, which are estimated to be \$3,020.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-241
(Int. No. 278)

Authorizing the receipt and use of United States Department of Homeland Security funds to investigate organized narcotics trafficking and violence

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

Section 1. The Council hereby authorizes the receipt and use of \$9,500 from the United States Department of Homeland Security to fund the Police Department’s participation in a joint investigation targeting narcotics trafficking and violence in the City of Rochester.

Section 2. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by the sum of \$9,500, which amount is hereby appropriated from the funds authorized in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo -8

Nays – Councilmember Lupien-1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-242
Re: Agreement – Maddie’s Fund, Pet Foster Care Stimulus Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Maddie’s Fund for the receipt and use of \$2,500 from the Maddie’s Fund Pet Foster Care Stimulus Grant, and amending the 2020-21 Budget of the Police Department by this amount.

The goal of this grant is to assist with the increased, unforeseen expenses related to foster-based pet housing and adoptions as part of the Animal Services operational response to Covid-19. These funds will be used to buy pet food, medicines, and pet care supplies to support foster home care of dogs and cats.

The term of this grant is May 21, 2020 through August 21, 2020. This is the second time Rochester Animal Services has received a grant from Maddie’s Fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-242
(Int. No. 279)

Authorizing an agreement and budgeting for an Animal Services Pet Foster Care Stimulus 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 Maddie’s Fund, a charitable foundation, for the receipt and use of a \$2,500 Pet Foster Care Stimulus Grant to Rochester Animal Services. The term of the agreement shall be from May 21, 2020 through August 21, 2020.

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

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by \$2,500 to reflect said stimulus grant.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-243
Re: Fire Apparatus Bonding

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$1,136,000 and the appropriation of proceeds thereof to finance the purchase of firefighting apparatus.

The Fire Department periodically replaces firefighting apparatus based upon a combination of use and age. The engines being replaced are first line apparatus and are currently located at the Lyell Ave and N. Clinton Ave fire stations. The following details the age and use of the apparatus being replaced:

Apparatus No.	Age	Location	Annual Runs
Engine 5	10 yrs	450 Lyell Ave	3,400
Engine 2	10 yrs	1207 N. Clinton Ave	3,500

Upon replacement, the existing first line apparatus that are 10 years old, will be placed into reserve status. The existing reserve apparatus are on average 19 years old and will be eligible for disposal through the Purchasing Bureau’s surplus process.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-243
(Int. No. 280)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,136,000 Bonds of said City to finance the replacement of one Engine Pumper at the Lyell Avenue Firehouse and one Engine Pumper at the North Clinton Avenue Firehouse

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 replacement of one Engine Pumper at the Lyell Avenue Firehouse and one Engine Pumper at the North Clinton Avenue Firehouse. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,136,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,136,000 bonds of the City to finance said appropriation and the

levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,136,000 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 \$1,136,000. 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. 27. of the Law, is twenty (20) 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. 2020-244
Re: Agreement – Personal Energy, Inc.

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement amendment to extend the term of an agreement with Personal Energy, Inc., Justin Merriam, Owner, 400 Andrews Street, Rochester, NY for consultation on

physical training for firefighter recruits. The RFD has worked with Personal Energy, Inc. since 2013 with the most recent contract authorized by Ord. No. 2016-217, amended by Ord. No. 2017-144.

The anticipated graduation of the current 2020 Fire Recruit was July 2020. However, due to delays caused by the COVID-19 pandemic mandated closures, graduation will take place in the Fall of 2020. The current contract with Personal Energy, Inc. expires as of July 31, 2020. The proposed 5 month contract extension will allow the Rochester Fire Department to complete recruit training without interruption of physical fitness consultation services.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-244
(Int. No. 281)

Authorizing an amendatory agreement related to firefighter recruit training

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 Personal Energy, Inc. for consultation on physical training for firefighter recruits. The amendment shall extend the term of the existing agreement, which was authorized by Ordinance No. 2016-217 and amended by Ordinance No. 2017-144, by five months.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-245
Re: Smoke and Carbon Monoxide Detectors Installation Program

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$55,000 from the Fire Department Small Equipment allocation of the Community Development Block Grant funds Consolidated Plan/2020-21 Annual Action Plan, for the purchase of smoke and carbon monoxide detectors during FY2020-21. The Rochester Fire Department provides and installs free smoke and carbon monoxide detectors to low and moderate income families in residential properties. The RFD coordinates and implements fire prevention and education programs to reach at-risk target populations. During fiscal year 2019-20 year to date, RFD installed 612 smoke detectors and 576 carbon monoxide detectors in residential properties throughout the city.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-245
(Int. No. 282)

Appropriating funds for the Smoke and Carbon Monoxide Detectors Installation Program

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

Section 1. The sum of \$55,000 in Community Development Block Grant funds is hereby appropriated from the Fire Department Small Equipment allocation of the Consolidated Plan/2020-21 Annual Action Plan to fund the purchase of

smoke and carbon monoxide detectors for the Rochester Fire Department to install in the residences of low and moderate income families.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-246

Re: Agreement - All Pro Catalyst, LLC, Youth Mentoring and Empowerment Initiative

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum annual compensation for an agreement with All Pro Catalyst, LLC (Westlake Village, California - Roland Williams, CEO, Rochester, NY) for its Champion Academy Mentoring and Empowerment Initiative. The term of the agreement will not exceed one year and will be funded from the 2020-21 Budget of Undistributed Expenses, with an option to renew for two additional, one-year terms, contingent upon approval of the future budgets.

The Champion Academy Mentoring and Empowerment Initiative will provide a two-week summer academy to 300 Rochester youth, ages 11 to 18, which focuses on life skills development, healthy behaviors, sportsmanship, and academic performance. Upon completion of the summer academy, participants will have the opportunity to participate in monthly interactive and educational workshops, community service projects, leadership training, and mentorship.

All Pro Catalyst, LLC and the Champion Academy Mentoring and Empowerment Initiative were created and are led by Roland Williams, a city of Rochester native who has gone on to become a Super Bowl Champion, ESPN and CBS sports analyst, Syracuse University graduate and award-winning performance coach. The City has supported this program since it began in 2015. The most recent agreement for this service was approved by Council in August 2017 via Ordinance No. 2017-285.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-144

Ordinance No. 2020-246
(Int. No. 283)

Authorizing an agreement for the Champion Academy Mentoring and Empowerment Initiative

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 All Pro Catalyst, LLC to implement the Champion Academy Mentoring and Empowerment Initiative. The term of the agreement shall continue up to one year with the option to renew for two additional one-year periods. The maximum annual compensation for the agreement shall be \$25,000, which shall be funded from the 2020-21 and subsequent years' Budgets of Undistributed Expenses, contingent upon approval of future budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-247

Re: Agreement - Rochester Recreational Swim Team, Inc.

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$17,500 as maximum annual compensation for an agreement with the Rochester Recreational Swim Team, Inc. (RRST) (Dan Delehanty, President, Rochester, New York) to provide a competitive swimming program and instruction for youth for the 2020-2021 year. The agreement will be funded from the 2020-21 Budget of the Department of Recreation and Youth Services (DRYS) and have a term of one year with an option to renew for four additional one-year terms with a possible maximum increase of 5% per year, contingent upon approval of the future budgets.

The RRST began in the late 1970's as a coalition of City parents who wanted to ensure there were competitive swimming opportunities available for City youth. DRYS has collaborated with the RRST since the early 1980's, providing use of City facilities and modest financial support for the program. The RRST remains the only City-based competitive swim program with the exception of one City School District team composed of a number of current or former RRST swimmers. Under the proposed agreement, RRST will continue to be responsible for the management of most aspects of the program, including the selection and supervision of the coaching staff, scheduling of practices and meets, affiliations with various swimming associations, and recruitment and coordination of volunteers.

The program serves youth between the ages of 5 and 19 years, regardless of skill level. The team operates at the Adams Street R-Center and Genesee Valley Park pools and competes in the United States Swimming and Genesee Valley Swim Leagues which is part of the Niagara District of USA swimming organization. The anticipated enrollment for 2020-21 is 60 youth. Preference for participation is provided to city residents. Recent participation by youth swimmers is as follows:

	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>
Total	36	39+	30	47
City Residents	18(50%)	33(84%)	23(76%)	37 (78%)
Minorities	11(31%)	15(38%)	13(43%)	22 (46%)
Females	16(41%)	20(51%)	13(43%)	25 (53%)

The National USA Swimming average for minority participation (2010) is around 3%.

The most recent agreement for this service was approved by Council in September 2015 via Ordinance No. 2015-311. A Justification for No RFP is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-145

Ordinance No. 2020-247
(Int. No. 284)

Authorizing an agreement for a competitive swimming program for youth

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 Rochester Recreational Swim Team, Inc. to provide a competitive swimming program and instruction for youth. The term of the agreement shall be one year with the option to renew for up to four additional one-year periods. The maximum annual compensation for the agreement shall be \$17,500, with a possible maximum increase of 5% per year after the first year, which shall be funded from the 2020-21 and subsequent years' Budgets of the Department of Recreation and Youth Services, contingent upon approval of future budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-248

Re: Appropriation and Agreement – The International Plaza at La Marketa

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 activation and operation of The International Plaza at La Marketa. This legislation will:

1. Appropriate \$46,000 of Community Development Block Grant funds from 2020-21 Annual Action Plan, La Marketa at the International Plaza allocation, to support the community engagement, activation, and daily operations of La Marketa.
2. Establish \$56,000 as maximum compensation for an agreement with Ibero-American Action League, Inc. (Eugenio Marlin, CEO) (~~Angelica Perez-Delgado, President and CEO, Rochester, NY~~) to provide a full-time site manager and coordination of culturally appropriate entertainment, art and community events at The International Plaza. The term of the agreement will be from August 1, 2020 through June 30, 2021. The agreement will be funded from the appropriation made herein (\$46,000) and the 2020-21 Budget of the Department of Recreation and Youth Services (DRYS) (\$10,000).

The International Plaza will provide 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. The International Plaza will be administered by DRYS staff in the Public Market division with on-site assistance from Ibero.

Ibero was chosen for this agreement based on their long history of community involvement and advocacy in the Northeast Rochester area and their leadership through Project Hope and other initiatives in creating a vision for the area including The International Plaza. The position funded in this item, will be housed at Ibero and have primary responsibility for the day to day operation and activation of the site. The remaining balance of funds will be utilized for payment for performers and other expenses related to promoting and activating the site. A justification for not issuing a request for proposals is attached. Construction of The International Plaza is underway and the site is scheduled to open Fall 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-146

Ordinance No. 2020-248
(Int. No. 285), as amended

Authorizing funding and an agreement for La Marketa at the International Plaza

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

Section 1. The sum of \$46,000 in Community Development Block Grant funds is hereby appropriated from the La Marketa at the International Plaza allocation of the Consolidated Plan/2020-21 Annual Action Plan to support community engagement, activation and daily operations at La Marketa at the International Plaza.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Ibero-American ~~Development Corporation Action League, Inc.~~ to provide a site manager and coordinate entertainment, art and community events for La Marketa at the International Plaza. The maximum compensation for the agreement shall be \$56,000, which shall be funded in the amounts of \$46,000 from the appropriation authorized in Section 1 herein and \$10,000 from the 2020-

21 Budget of the Department of Recreation and Youth Services. The term of the agreement shall be from August 1, 2020 through June 30, 2021.

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

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-249
Re: Fire Communication and Alerting Systems Bonding

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$2,500,000 and the appropriation of proceeds thereof to finance the purchase of fire communication radios and station alerting equipment to integrate into the forthcoming updated technical infrastructure of the Monroe County emergency communication and alerting system.

The fire communication system is a critical component of the Rochester Fire Department (RFD) fire/rescue/ems service operations. It provides the link between citizens and first responders by spanning the point of dispatching firefighters to incidents, to providing a secure and seamless communication capability among firefighters and dispatchers during an incident. A secure, efficient and highly functional fire communications system is critical to the safety of our citizens and first responders.

Monroe County is in the process of implementing a trunked radio system and updating their Computer Aided Dispatch (CAD) system that supports the RFD station alerting system. The fire communication equipment and alerting system currently in use by the RFD are not supported by the new emergency communication technologies planned for implementation by the County.

Therefore, new equipment must be acquired and installed to continue to be compatible with the County system for safe fire/rescue/ems services both in the City and County wide. The funds appropriated will support replacement of mobile and portable radio equipment used by firefighters and installed in apparatus, and installation of a new station alerting system.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-249
(Int. No. 286)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,500,000 Bonds of said City to finance the replacement of mobile and portable radio equipment and the installation of a new station alerting system for the Rochester Fire Department

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City") is hereby authorized to finance the Rochester Fire Department's replacement of mobile and portable radio equipment for its personnel and vehicles and the installation of a new station alerting system to each of the Department's firehouses. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,500,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,500,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$2,500,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a

of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

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 \$2,500,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 25. 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. 2020-250
Re: Grant Agreement, Avangrid Foundation, Inc.

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the receipt and use of a \$15,000 grant from the Avangrid Foundation, Inc. for the 2020 Cool Sweep program. The funding was anticipated in the 2020-21 Budgets of the Department of Recreation and Youth Services (\$11,400), Bureau of Communications (\$3,400), and Undistributed Expenses (\$200).

The Cool Sweep program, which has been in operation since 2011, provides opportunities for residents to get relief from the summer heat when the forecast calls for temperatures to reach or exceed 85 degrees. When a Cool Sweep is triggered, residents can access cooling sprays at City spray parks as well as extended hours at select City pools. When temperatures

are forecasted to be 90 degrees and above, a Cool Sweep Heat Emergency is triggered, and residents are able to seek relief during extended hours at select air-conditioned R-Center locations. In 2019, twelve Cool Sweeps took place with a total attendance of 44,306.

The 2020 grant funding will support the operational costs of the program including the Cool Sweep media campaign, program coordination, and staff wages and fringe expenses at Cool Sweep sites.

This was last authorized by City Council Ordinance No. 2019-104 adopted on April 17, 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-250
(Int. No. 293)

Authorizing a grant agreement for the 2020 Cool Sweep 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 Avangrid Foundation, Inc. (Foundation) for the receipt and use of Foundation funds in the amount of \$15,000 for operational expenses of the City's 2020 Cool Sweep program.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 7:16 p.m.

HAZEL L. WASHINGTON
City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

August 18, 2020

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

Present –President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo – 9.

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

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

Retirement:

DES:

- *David Coleman
- *Angelo Pata
- *James Quackenbush

FIN:

- *Shirley Tomaszewski

IT:

- *Michele Rowe

RFD:

- *James Liess
- *Kevin Murphy

RPD:

- *Mark Barna
- *Herbert Everson

RPL:

- *Christine Dobner
- *Elizabeth Spring

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Patterson

RESOLVED, that the minutes of the Regular Meeting on July 21, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

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

The Mayor submits the following:

Quarterly Report – NBD Grants and loans– June 30, 2020 – 4328-20

The Council submits Disclosure of Interest Forms from Vice President Lightfoot on Int. No. 325, Councilmember Evans on Int. No. 310, Int. No. 311 and Int. No. 320, Councilmember Gruber on Int. No. 325, Councilmember Harris on Int. No. 294, Int. No. 298, Int. No. 299 and Int. No. 324, Councilmember Lupien on Int. No. 294 and Councilmember Peo on Int. No. 294.

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

52 Signatures presented by Councilmember Lupien in support of cleanup up the Southeast Towers II. – Petition No. 1770

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

None

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

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Evans
August 18, 2020

To the Council:

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

Int. No. 294 Resolution relating to standard work day and retirement reporting for Councilmembers

Int. No. 295 Authorizing a professional services agreement for payroll processing services

Respectfully submitted,
Malik Evans
LaShay D. Harris (*Abstained on Int. No. 294*)
Michael A. Patterson
Willie J. Lightfoot
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-27
Re: City Council Standard Work Day and Reporting Resolution

Transmitted herewith for your approval is a resolution approving the standard monthly work day reporting for retirement purposes for newly elected members of the City Council. By Resolution No. 2012-13, City Council standardized the City Council work day reporting in accordance with the New York State and Local Retirement System’s Regulation at 2 NYCRR §315.4 in the following ways:

1. New Councilmembers that are elected to the City Council are required to keep a three-month consecutive log called a "Record of Activities" that sums up their time spent on City Council business;
2. All logs will be kept on file with the City Clerk in accordance with Regulation 315.4; and
3. The standard City Council work day for pension credit reporting is 6 hours per day, as part of a five-day, thirty hour work week.

This legislation accepts the Record of Activities (ROA) and approves submitting to the Retirement System the attached Standard Work Day and Reporting Resolution form that reports the standard number of monthly work days for each of the following members of Council: Mary Lupien and Jose Peo, each elected to a four-year term that commenced on January 1, 2020; and LaShay D. Harris who was first appointed to Council on April 30, 2019 and thereafter elected to full four-year term that commenced on January 1, 2020.

Once this resolution is approved, the City Clerk will post it along with the accompanying Reporting Resolution form on-line for a period of at least 30 days as required by the Retirement System regulations.

Respectfully submitted,
Malik D. Evans
Chair, Finance Committee

Attachment No. AT-147

Resolution No. 2020-27
(Int. No. 294)

Resolution relating to standard work day and retirement reporting for Councilmembers

WHEREAS, Councilmembers LaShay D. Harris, Maryagnes C. "Mary" Lupien and Jose M. Peo are enrolled in the New York State and Local Retirement System and each of them has maintained a log of Council work-related activities (Record of Activities) pursuant to 2 NYCRR 315.4 in order to factor the number of hours worked into the calculation of a standard number of days worked per month to be reported to the Retirement System;

WHEREAS, in Resolution No. 2012-13, the Council established the standard work day for members of the City Council as six hours in a standard five-day, thirty-hour work week; and

WHEREAS, based on the standard number of hours worked per month and the standard six-hour work day, the number of days worked per month for each of the three Councilmembers has been calculated in accordance with the Retirement System's Standard Work Day and Reporting Resolution form number RS 2417-A (Reporting Resolution Form), which has been presented to Council.

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

Section 1. The Council hereby certifies that it has received and accepts a Record of Activities pursuant to 2 NYCRR 315.4 from each of the Councilmembers LaShay D. Harris, Maryagnes C. "Mary" Lupien and Jose M. Peo and that such records shall form the basis for the number of work days to be reported to the New York State and Local Retirement System.

Section 2. Based on the number of hours set forth in each of their Record of Activities, the monthly reporting to the Retirement System of days worked for Councilmembers Harris, Lupien and Peo shall be calculated based on the total number of six-hour work day equivalents worked each month, as specified in the Reporting Resolution Form.

Section 3. The Council hereby approves and incorporates into this resolution the Standard Work Day, the Record of Activities Result, the Current Term of Office and the other employment information for Councilmembers Harris, Lupien and Peo, as set forth in the Reporting Resolution Form. The Council hereby directs the City Clerk to post this resolution and the Reporting Resolution Form in public for a period of at least 30 days after which she shall file said resolution and form, along with an affidavit of posting, with the Retirement System.

Section 4. This resolution shall take effect immediately.

Adopted by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Lightfoot, Ortiz, Patterson -6

Nays – None – 0.

Councilmembers Harris, Lupien, and Peo abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-251
Re: Processing of Election
Inspector Payroll

Transmitted herewith for your approval is legislation establishing \$10,000 annual maximum compensation for a professional services agreement with Asure Software, formerly known as USA Payroll, Inc., for processing the payroll for Election Inspectors. The initial term of the agreement is for one year, with the option for two one-year renewals.

The proposed agreement includes the issuance of checks, providing a check register, issuing 1099 forms as needed, replacement checks, replacement 1099 forms, issuing stop payments and delivering paychecks ready for mailing to the City within a specified timeline.

A request for proposal was posted on the City’s web site for election payroll processing. This function has been outsourced by the City of Rochester since 2012. We received responses from Asure Software, Certified Payroll & Visa Services, Patrick & Patrick, LLP and Paychex. Each proposal was rated on price, services offered, MWBE status and their location. After being reviewed by the committee established for this purpose, Asure Software was selected as a local vendor, with the lowest bid, because of their ability to provide all of the services requested in a timely manner, and our pre-existing relationship with USA Payroll, Inc. The agreement with Asure Software will be funded from the 2020-21 budget as well as future budgets of the City Council/City Clerk.

Respectfully submitted,
Loretta C. Scott
President

Malik D. Evans
Finance Chair

Ordinance No. 2020-251
(Int. No. 295)

Authorizing a professional services agreement for payroll processing 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 agreement with Asure Software for payroll processing services for election inspectors in a maximum annual amount not to exceed \$10,000. The agreement shall have a term of one year, with an option of two one-year renewals. The annual cost of the agreement shall be funded by \$10,000 from the 2020-21 Budget of the City Clerk and, if renewed, from subsequent budgets of the City Council and Clerk, contingent upon adoption of the subsequent budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson
August 18, 2020

To the Council:

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

Int. No. 296	Authorizing the sale of real estate
Int. No. 297	Granting permanent easements to the County of Monroe for the installation of fiber optic cable
Int. No. 298	Determinations and findings relating to the acquisition of properties for George Mather Forbes School No. 4 campus modernization project
Int. No. 299	Authorizing the acquisition by negotiation or condemnation of properties for the George Mather Forbes School No. 4 campus modernization project, <u>as amended</u>
Int. No. 300	Amending the Consolidated Community Development Plan/2019-20 Annual Action Plan, appropriating a second award of Emergency Solutions Grants-Coronavirus funds, and authorizing agreements to provide additional Eviction Prevention and Homeless Services
Int. No. 301	Authorizing agreements for the HOME Rochester/Asset Control Area Program
Int. No. 324	Authorizing building demolition and abatement of propertied acquired for the Flower City School No. 54 and George Mather Forbes School No. 4 campus modernization projects

Respectfully submitted,

Michael A. Patterson

Mary Lupien (*Voted Nay on Int. No. 298, Int. No. 299 & Int. No. 324*)

Jacklyn Ortiz (*Voted Nay on Int. No. 298, Int. No. 299 & Int. No. 324*)

Willie J. Lightfoot

Loretta C. Scott

NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-252

Re: Sale of Real Estate

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

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

The property is listed on the attached spreadsheet under the heading, **I. Negotiated Sale – Improved Property**. The property is classified as a parking lot. It is being sold to allow the adjoining owners to correct code issues involving access to the dumpsters at the rear of the adjoining property. Following the sale and subdivision, the remaining City owned land will be a buildable lot, approximately 40 x 162, suitable for residential development.

The first year projected tax revenue for this property, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$406.

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

Respectfully submitted,

Lovely A. Warren

Mayor

Attachment No. AT-148

Ordinance No. 2020-252
(Int. No. 296)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale with proposal of the following parcel of land improved with a parking lot:

Address	SBL#	Lot Size	Sq.Ft.	Price	Purchaser
East Portion 74-76 Clifton St	091.84-1-3	34.5 x 128	1,240	\$300	Hani A. Muthani/ Moshen A.M. Mosed

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-253
Re: Granting of Easements for Fiber Optic Cabling

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Planning for Action

Transmitted herewith for your approval is legislation granting eight permanent easements to the County of Monroe for installation and maintenance of fiber optic cable on property owned by the City of Rochester. The County intends to install fiber optic cable at seven Rochester Fire Department Fire Stations on property owned by the City of Rochester. The easements will be granted for no monetary consideration.

As described in the accompanying maps and legal descriptions, the conveyances consist of a ten foot wide permanent easement at each of the following eight locations:

<u>Fire House</u>	<u>Street Address</u>	<u>SBL #</u>	<u>Acres</u>
*Allen Street Fire House	224-242 Allen Street	121.21-1-1	0.006
*Allen Street Fire House	520 West Broad St	120.28-1-31	0.002
Chestnut Street Fire House	415 Andrews Street	106.72-1-71.003	0.020
Emerson Street Fire House	1051 Emerson Street	105.38-1-36	0.006
Gardiner Fire House	57 Gardiner Avenue	120.48-1-68.002	0.046
Genesee Street Fire House	885 Genesee Street	135.34-2-9	0.018
Lake Avenue Fire House	4050 Lake Avenue	061.21-1-18.010	0.009
University Avenue Fire House	997 University Avenue	122.29-1-20	0.051

*The Allen Street Fire House is situated at the intersection of Allen Street and West Broad Street and will require two easements. The parcel at 520 West Broad Street is eight feet deep and is adjacent to the right of way on the west side of the fire house. It will be the second location of the transferred easements.

This transaction requires no action from the Monroe County Legislature as the easements will be transferred for no consideration. The fiber optic cabling is being provided to assist the Rochester Fire Department with their on-line connectivity and will be a benefit to their technological capability and response time.

Respectfully submitted,
Lovely D. Warren
Mayor

Ordinance No. 2020-253
(Int. No. 297)

Granting permanent easements to the County of Monroe for the installation of fiber optic cable

WHEREAS, the County of Monroe (County) has offered to install and maintain fiber optic cable service to seven Rochester Fire Department stations and will require permanent easements over eight City owned parcels to do so; and

WHEREAS, the provision of fiber optic cable access to the fire stations will benefit the public by improving the Fire Department’s on-line connectivity and response times.

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

Section 1. The Council hereby approves granting to the County of Monroe ten-foot wide permanent easements over the following properties owned by the City in return for the installation and maintenance of fiber optic cable access to seven Rochester Fire Department stations:

<u>Fire House</u>	<u>Street Address</u>	<u>SBL #</u>	<u>Easement Acreage</u>
Allen Street Fire House	224-242 Allen Street	121.21-1-1	0.006
Allen Street Fire House	520 West Broad St	120.28-1-31	0.002
Chestnut Street Fire House	415 Andrews Street	106.72-1-71.003	0.020
Emerson Street Fire House	1051 Emerson Street	105.38-1-36	0.006
Gardiner Fire House	57 Gardiner Avenue	120.48-1-68.002	0.046
Genesee Street Fire House	885 Genesee Street	135.34-2-9	0.018
Lake Avenue Fire House	4050 Lake Avenue	061.21-1-18.010	0.009
University Ave Fire House	997 University Avenue	122.29-1-20	0.051

Section 2. The Council hereby authorizes the Director of Real Estate to enter into any such agreement, deed covenant, easement or other document as necessary to effectuate the transaction authorized herein. Any such agreement or document shall contain such additional terms and conditions as the Director deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-254
Re: Acquisitions – RCSD School No. 4 Campus Expansion

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the acquisition by negotiation or condemnation of eight properties to expand the campus of George Mather Forbes School No. 4. The acquisitions are part of the School Modernization and will be used to provide an off the street bus loop, additional parking for faculty and staff and green space. These acquisitions will be funded through the Rochester School Modernization Project (RSMP) in accordance with the Rochester Joint Schools Construction Board Resolution No. 2020-21:04 as passed July 13, 2020. The addresses are noted below with the appraised values and property use:

RCSD George Mather Forbes School No. 4 Expansion

<u>Address</u>	<u>Reputed Owner</u>	<u>SBL No.</u>	<u>Type</u>	<u>Maximum Acquisition Amount</u>
187 Dr Samuel McCree Way	Carol R. Gibson	120.59-1-22	1 Family	\$45,000
193-193.5 Dr Samuel McCree Way	Leonardo Ulloa & Luis D. Ulloa	120.59-1-19	2 Family	\$60,000
204 Dr Samuel McCree Way	Darryl Swain, Jr.	120.51-3-31	1 Family	\$45,000
206 Dr Samuel McCree Way	Jonathan L. Ivey	120.51-3-32	1 Family	\$45,000
183 Jefferson Terrace	Nathan Pinckney	120.51-3-52	1 Family	\$48,000
565 Tremont Street	Phyllis Miller	120.51-3-22.001	1 Family	\$32,000
571-573 Tremont Street	Frances Miller	120.51-3-21.001	2 Family	\$48,000
587-589 Tremont Street	Chad & Christina Terrusa	120.51-3-18	2 Family	\$39,000

The maximum acquisition amounts are supported through independent appraisals performed by Rachel Gaillard of Bruckner, Tillett, Rossi, Cahil & Associates as of December, 2019 and by Steven V. Ferrara of Midland Appraisal Associates, Inc. as of July, 2019 and updated July, 2020.

In the event that the properties cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for their acquisition. In the event of condemnation, the amounts set forth herein for the acquisitions shall be the amount of the offers. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisitions pursuant to the eminent domain procedure law. A public hearing pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of these parcels will be held.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-149

Ordinance No. 2020-254
 (Int. No. 299, as amended)

Authorizing the acquisition by negotiation or condemnation of properties for the George Mather Forbes School No. 4 campus modernization project

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

Section 1. The Council hereby approves the acquisition by negotiation of the following parcels for the maximum acquisition amounts indicated to effectuate the George Mather Forbes School No. 4 campus modernization project:

Address	Reputed Owner	SBL No.	Type	Maximum Acquisition Amount
187 Dr Samuel McCree Way	Carol R. Gibson	120.59-1-22	1 Family	\$45,000
193-193.5 Dr Samuel McCree Way	Leonardo Ulloa & Luis D. Ulloa	120.59-1-19	2 Family	\$60,000

204 Dr Samuel McCree Way	Darryl Swain, Jr.	120.51-3-31	1 Family	\$45,000
206 Dr Samuel McCree Way	Jonathan L. Ivey	120.51-3-32	1 Family	\$45,000
183 Jefferson Ter	Nathan Pinckney	120.51-3-52	1 Family	\$48,000
565 Tremont St	Phyllis Miller	120.51-3-22.001	1 Family	\$32,000
571-573 Tremont St	Frances Miller	120.51-3-21.001	2 Family	\$48,000
587-589 Tremont St	Chad & Christina Terrusa	120.51-3-18	2 Family	\$39,000

Section 2. The acquisition amounts and necessary relocation and closing costs shall be funded from Rochester Schools Modernization Program funds, which were appropriated on behalf of the City and the Rochester City School District by the Rochester Joint Schools Construction Board (RJSCB) on July 13, 2020 in Resolution No. 2020-21: 04. That RJSCB Resolution also authorizes funding for relocation assistance and compensation to be provided by RJSCB in accordance with the City's rules and regulations for relocation benefits approved in Resolution No. 2002-25. Therefore, the occupants of the properties to be acquired shall be given fair notice and a moving allowance of up to \$1,000 for each dwelling unit. In addition, those occupants who request it will be provided with professional assistance to find comparable replacement housing before they are required to vacate.

Section 3. City taxes and other current-year charges against said parcels shall be canceled from the date of acquisition closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City owns the parcels, shall also be canceled.

~~Section 4. In the event that any of said parcels cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings to acquire said parcel. In the event of condemnation, the amount set forth herein for the acquisition shall be the amount of the offer. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisition of said parcel pursuant to the Eminent Domain Procedure Law.~~

~~Section 5~~4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Patterson, Peo -6

Nays – Councilmembers Gruber, Lupien, Ortiz –3.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-255
Re: Eviction Prevention and Homeless Services, Emergency Solutions Grants (ESG-CV)

Council Priority: Rebuilding and Strengthening Neighborhood Housing
Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the receipt and use of round two Emergency Solutions Grants-Coronavirus (ESG-CV) funds in the amount of \$2,858,628. This is an additional round of ESG funding beyond the funding that was approved by City Council in May. This funding is provided pursuant to the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) for the purpose of providing the additional services now needed to prevent, prepare for, and respond to difficulties associated with the coronavirus pandemic.

The legislation will:

1. Amend the 2019-20 Annual Action Plan, Consolidated Community Development Plan to provide for the receipt and use of \$2,858,628 in second-round ESG-CV funds.
2. Authorize the submission of the amended 2019-20 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD).

3. Authorize agreements with HUD for the receipt and use of the second ESG-CV grant.
4. Appropriate \$285,862 of the second round of ESG-CV funds from the 2019-20 Annual Action Plan to reimburse the City for staff costs associated with administration of the funds.
5. Appropriate \$460,000 of the second round of ESG-CV funds from the 2019-20 Annual Action Plan and establish \$460,000 as maximum compensation for an agreement with Volunteer Legal Services Project of Monroe County, Inc. (Principal: Tina Foster, 1 West Main Street, Rochester) to implement the Right to Counsel Pilot project and provide access to an eviction hotline and free legal counsel services to those at-risk of homelessness/eviction. The agreement term will conclude on June 30th, 2021.
6. Appropriate up to \$2,112,766 of the second round of ESG-CV funds from the 2019-20 Annual Action Plan to fund Eviction and Homelessness Prevention projects, or another higher priority ESG project/activity, and authorize entering into new or amended agreements with existing ESG funded Homelessness Prevention project providers as necessary to implement additional services based on community need.

The 2019-20 Annual Action Plan was previously amended by Ordinance No. 2020-131 in May and authorized programs funded by HUD's first-round grant of \$2,444,707 in ESG-CV funds to address priority needs related to homelessness and housing instability. This legislation is solely related to the second round of ESG-CV funding as described above. Approval of this legislation will accomplish two things. Firstly, it will fund the Rochester/Monroe County Right to Counsel Pilot Project in the amount of \$460,000, to be operated by Volunteer Legal Services Project of Monroe County, Inc. (Principal: Tina Foster) as Lead Agency. Subcontracted services will be provided by The Legal Aid Society of Rochester, New York (Principal: Carla Palumbo), Legal Assistance of Western New York, Inc. (Principal: C. Kenneth Perri). Secondly, it will prepare additional resources for deployment to support eviction and homelessness prevention activities, by funding up to \$2,112,766 in ESG-CV assistance to other ESG eligible Homelessness Prevention projects, such as Catholic Family Center's existing homelessness prevention program. If it is determined that previously awarded funds and contracts are not sufficiently funded to address the eviction and homelessness prevention needs of the community, funds will be used to augment existing ESG contracts. Structuring the remaining ESG-CV funds in this manner ensures that the City will be able to deploy resources quickly, if needed.

While much of the previously awarded ESG-CV funding was targeted to preventing homelessness through the provision of financial assistance (including rental arrears, security deposits, etc.) and case management, these services alone are not enough to prevent homelessness and eviction. The likely increase in evictions due to COVID-19 economic hardship and complexity of the new eviction related laws, moratoriums, and related policies intensify the need for legal services, education, and additional resources for those at-risk of homelessness. Initial conversations within the local "Justice for All" court reform stakeholder group indicated that there was a group of local organizations eager to tackle this problem, through the implementation of their "Right to Counsel" pilot program. An ESG Prevention/Legal Services RFQ was jointly-issued by the City and Monroe County on July 17, 2020 to determine if any other organizations or projects were qualified to offer these services.

The Right to Counsel Pilot project was selected by the City and County to provide legal services for those facing eviction, and was chosen for several reasons. In June, the State changed the eviction notice to advise tenants to contact an attorney to discuss their legal rights. However, currently the notice refers residents to a website with no relevant information for local resources. The Right to Counsel Pilot project would establish a hotline to ensure those who receive the notice get information relevant to their location and situation. The Right to Counsel Pilot project will serve everyone facing eviction in the City of Rochester and select pilot suburbs (Rochester, Greece, Irondequoit, and East Rochester). Similar programs have been successful in places like New York City, Philadelphia, and San Francisco, and the group estimates that they will be able to prevent 75% of evictions in the service area.

The project will be initiated immediately, and will be operational before the eviction moratorium is lifted on or about August 20th. Through the combined support of the City and County, the agencies anticipate having enough funding to operate the pilot project for at least 6-months. Partner agencies are confident that additional funding sources will be secured.

The Department of Neighborhood and Business Development will provide monthly reports to Council on the programs and services subsidized by the Fund and the prior ESG-CV grant. The first report will be submitted in August 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-150

Ordinance No. 2020-255
(Int. No. 300)

Amending the Consolidated Community Development Plan/2019-20 Annual Action Plan, appropriating a second award of Emergency Solutions Grants-Coronavirus funds, and authorizing agreements to provide additional Eviction Prevention and Homeless Services

WHEREAS, in Ordinance No. 2019-164, the City approved and adopted a Consolidated Community Development Plan/2019-20 Annual Action Plan (the 2019-20 Action Plan) to fund and implement community development and housing programs that include services to the homeless and to those at risk of homelessness under the federal Emergency Solutions Grants (ESG) program;

WHEREAS, the federal Coronavirus Aid, Relief and Economic Security Act enacted on March 27, 2020 (CARES Act) authorizes the U.S. Department of Housing and Urban Development (HUD) to provide supplemental ESG program funding to municipalities to implement additional activities to prevent, prepare for, and respond to difficulties arising out of the coronavirus pandemic;

WHEREAS, on April 2, 2020, HUD awarded the City of Rochester with a first round of supplemental CARES Act funding that included \$2,444,707 for the ESG-Coronavirus (ESG-CV) program;

WHEREAS, on May 13, 2020 in Ordinance No. 2020-130, the City adopted amendments to the 2019-20 Action Plan that include the addition of \$2,444,707 for ESG-CV program services;

WHEREAS, on June 9, 2020, HUD awarded the City a second round of supplemental CARES Act funding consisting of \$2,858,628 to continue and enhance the ESG-CV program;

WHEREAS, a plan for amending the 2019-20 Action Plan to incorporate the receipt and use of the second ESG-CV grant for coronavirus epidemic relief activities for the homeless and those at risk of homelessness (Amendment Plan) has been prepared and presented to the City Council; and

WHEREAS, the City Council has reviewed with City staff the needs, strategies and proposed actions to be addressed in the Amendment Plan.

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

Section 1. The Council hereby approves and adopts the Amendment Plan as an amendment to the 2019-20 Action Plan, including the addition of \$2,858,628 in CARES Act funding for the ESG-CV program.

Section 2. The Mayor is hereby authorized to submit the said Amendment Plan to HUD. The Mayor is hereby further authorized to provide any such information that may be required by HUD and to execute any grant agreement, project sponsor agreement, or any other documentation as may be necessary to fund and carry out the activities provided for in the Amendment in accordance with the CARES Act and with any other applicable community development laws and regulations.

Section 3. The Mayor is hereby authorized to enter into a new or amendatory professional services agreement with the Volunteer Legal Services Project of Monroe County, Inc. to implement a Right to Counsel Pilot project that includes an eviction hotline and free legal counsel to those at risk of homelessness. The maximum compensation for the project shall be \$460,000, which is hereby appropriated for the purpose from the Amendment Plan funds added to the ESG-CV allocation of the 2019-20 Action Plan in Section 1 herein. The term for the agreement shall conclude on June 30, 2021.

Section 4. The Mayor is hereby authorized to enter into new or amendatory professional services agreements with existing ESG-funded Homelessness Prevention project providers to perform Eviction and Homelessness Prevention projects or other higher priority projects that are consistent with the ESG-funded projects of the 2019-20 Action Plan as amended in Section 1 herein. The maximum aggregate compensation for the new or amendatory agreements shall be \$2,112,766, which is hereby appropriated for the purpose from the Amendment Plan funds added to the ESG-CV allocation of the 2019-20 Action Plan in Section 1 herein. The term for each of the agreements shall conclude on or before June 30, 2021.

Section 5. The Council hereby appropriates \$285,862 from the Amendment Plan funds added to the ESG-CV allocation of the 2019-20 Action Plan in Section 1 herein for the Department of Neighborhood and Business Development to administer and monitor Eviction and Homelessness Prevention projects and services or other higher priority projects and services that are consistent with the ESG-funded projects of the 2019-20 Action Plan as amended.

Section 6. The agreements and documents authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-256
Re: Agreements, HOME Rochester Program

Council Priority: Reducing and Strengthening Neighborhood Housing

Rochester 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing agreements with the Rochester Housing Development Fund Corporation (RHDFC, President Theodora Finn) located at 16 E. Main Street, Rochester, NY, and JP Morgan Chase & Co. (CEO Jamie Dimon) 270 Park Avenue, New York, NY for continuation of the HOME Rochester/Asset Control Area Program. This legislation will:

1. Authorize a loan agreement with JPMorgan Chase for a maximum amount of \$1,838,000 for the City's participation in the RHDFC Loan IX financing pool. The loan will be funded by the City's principal and earned interest currently held in the Loan VIII financing pool and will be used to establish a trust account accessible for Loan IX Home Rochester properties. The loan will earn the City 3% interest.
2. Authorize an agreement with the RHDFC to administer the trust account at JPMorgan Chase, which will describe the process by which RHDFC may draw the Loan VIII revenues for Loan IX properties. RHDFC will receive no payment for this agreement.
3. Authorize an agreement with the RHDFC to establish and manage a Loan Loss Reserve fund for the Loan IX financing pool in the amount of \$238,000 to be financed from the existing Loan VIII Loan Loss Reserve fund. RHDFC will receive no payment for this agreement.
4. Authorize an agreement with the RHDFC to establish and manage an interest reserve account for the Loan IX financing pool not to exceed \$25,000 to be financed from the Loan VIII revenues. The fund will be used to provide 1% annual interest to enable the working capital loan for the program. For Loan IX, the working capital loan will be \$750,000, provided by the Greater Rochester Housing Partnership, Inc. (GRHP) through the Martin Luther King Jr. Housing Fund, and administered by RHDFC. RHDFC will receive no payment for this agreement.

RHDFC has operated the HOME Rochester program for more than two decades in partnership with the City, GRHP, and neighborhood-based non-profit developers. RHDFC buys vacant homes and oversees their renovation for sale to first-time homebuyers. Since 2015, 113 households have purchased a HOME Rochester property.

RHDFC has also facilitated City participation in the federal Asset Control Area Program (ACAP) since the City's original agreement with HUD in 2004. ACAP obligates the City to purchase FHA-foreclosed, single-family properties in specified areas of the city and to sell those properties to income eligible buyers. RHDFC also acquires properties through donations, through tax foreclosure via the Rochester Land Bank Corporation, and makes purchases on the private market. The lead lender for Loan IX is JP Morgan Chase. Participating lenders are anticipated to include the City of Rochester, GRHP, Enterprise Community Partners, Five Star Bank, Partners for the Common Good, M&T Bank, Bank of Castile, and the Low Income Investment Fund. The City will participate as a lender using a maximum of \$1,838,000 in revenues from its Loan VIII contribution of Neighborhood Stabilization Program funds previously awarded by the New York State Housing Finance Agency. Participation in Loan VIII, totaling \$15,000,000, was authorized through City Council Ordinance No. 2017-297 and closed in October 2017. Loan IX will have a total of approximately \$14,400,000, and is anticipated to close in September 2020.

The loss reserve is required to induce the participation of public and private lenders to provide the capital to fund Loan IX, since the lenders forego a lien during construction as would otherwise be typical.

The working capital will be used to purchase vacant and foreclosed properties for Home Rochester and make funds available between monthly draws on Loan IX. The renovation of the properties will be funded by Loan IX.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-151

Ordinance No. 2020-256
(Int. No. 301)

Authorizing agreements for the HOME Rochester/Asset Control Area Program

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

Section 1. The Mayor is hereby authorized to enter into a loan agreement with JPMorgan Chase & Co. in an amount up to \$1,838,000 to facilitate the City's continued participation in the HOME Rochester/Asset Control Area Program (Program). The agreement shall establish a new Loan IX financing pool for the Program to be funded by the principal and earned interest currently held in the Program's previous Loan VIII fund authorized by Ordinance No.2017-297. The Loan IX financing pool shall have an interest rate of 3%.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Rochester Housing Development Fund Corporation (RHDFC) to administer a trust account for Program funds to be deposited with JPMorgan Chase. The agreement shall set forth the process by which RHDFC may draw upon the Loan IX financing pool to acquire vacant single-family properties or other Program activities. RHDFC shall receive no compensation for this agreement.

Section 3. The Mayor is hereby authorized to enter into an agreement with RHDFC to establish a Loan Loss Reserve fund for the Loan IX financing pool. This Loan Loss Reserve amount of up to \$238,000 shall be funded from the Loan VIII loss reserve account authorized in Ordinance No. 2017-297. RHDFC shall receive no compensation for this agreement.

Section 4. The Mayor is hereby authorized to enter into an agreement with RHDFC to establish and manage an Interest Reserve Account for the Loan IX financing pool in an amount not to exceed \$25,000 to be funded from Loan VIII revenues. The Interest Reserve Account shall be used to fund the payment of 1% annual interest to facilitate a Loan IX Working Capital Loan of up to \$750,000. The loan amount shall be provided by the Greater Rochester Housing Partnership, Inc. through the Martin Luther King Jr. Housing Fund, and the loan shall be administered by RHDFC. RHDFC shall receive no compensation for this agreement.

Section 5. The Mayor is hereby authorized to execute any additional agreement or document as may be necessary to effectuate the agreements authorized herein. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-257
Re: Budget Amendment- School Campus Expansion Projects, Demolition Reimbursement

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending the 2020-21 Cash Capital Budget by \$453,000 to reflect the receipt and use of funding from the Rochester Schools Modernization Program (RSMP) to reimburse the City for the cost of demolition and abatement of 14 properties to facilitate the campus expansion projects of Rochester City School District (RSCD) School 4 and School 54. RSMP reimbursement will not exceed the amount per school project listed in the table below:

RSMP/RSCD Campus Expansion Project	Maximum Demolition and Abatement Cost Reimbursement
School 4	\$241,000
School 54	\$212,000
Total	<u>\$453,000</u>

Acquisition of 6 properties (see attachment) for the School 54 campus expansion were approved by the Rochester Joint Schools Construction Board (RJSCB) via Resolution No. 2019-20:68 and amended via No. 2020-21:05. Acquisitions for School 54 were approved by City Council via Ordinance No. 2020-99 and amended via No. 2020-215. Acquisitions of 8 properties for the School 4 campus expansion were approved by the RJSCB via Resolution No. 2019-20:67 and amended via No. 2020-21:04. Acquisitions for School 4 are under consideration by City Council in a companion piece of legislation for the August 2020 Council meeting (Int. 298, 299). The RJSCB resolutions authorize reimbursement to the City for expenses incurred through the demolition and abatement of the acquired properties. RJSCB Resolution 2019-20:68 authorized up to \$288,000 in demolition and abatement reimbursement for School 54. This was based on a rough estimate before receiving the official demolition cost estimates from the City. Detailed cost estimates provided subsequently by the City concluded that only a maximum of \$212,000 in reimbursement would be necessary. The \$241,000 maximum reimbursement for School 4 approved in RJSCB Resolution 2020-21:04 was based the City’s detailed estimates. It is necessary for City Council to authorize the budget amendment and the receipt and use of the funds.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-152

Ordinance No. 2020-257
 (Int. No. 324)

Authorizing building demolition and abatement of properties acquired for the Flower City School No. 54 and George Mather Forbes School No. 4 campus modernization projects

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

Section 1. The Council hereby authorizes the receipt and use of up to \$212,000 in Rochester Schools Modernization Program (RSMP) funds from the Rochester Joint Construction Schools Construction Board (RJSCB) to fund the demolition of buildings, including the abatement of any lead paint or asbestos containing materials contained therein, on the following properties authorized in Ordinance No. 2020-99 to be acquired by the City for the Flower City School No. 54 campus modernization project:

Address	SBL No.	Type
56 Aab Street	105.50-1-27	1 Family
2 Chace Street	105.50-1-20	1 Family
12 Chace Street	105.50-1-25.1	1 Family
291 Sherman Street	105.50-1-18	2 Family
295 Sherman Street	105.50-1-17	1 Family
301 Sherman Street	105-50-1-16	1 Family

Section 2. The Council hereby authorizes the receipt and use of up to \$241,000 in RSMP funds from the RJSCB to fund the demolition of buildings, including the abatement of any lead paint or asbestos containing materials contained therein, on the following properties authorized in a concurrent ordinance to be acquired by the City for the George Mather Forbes School No. 4 campus modernization project:

Address	SBL No.	Type
187 Dr Samuel McCree Way	120.59-1-22	1 Family
193-193.5 Dr Samuel McCree Way	120.59-1-19	2 Family
204 Dr Samuel McCree Way	120.51-3-31	1 Family
206 Dr Samuel McCree Way	120.51-3-32	1 Family
183 Jefferson Ter	120.51-3-52	1 Family

565 Tremont St	120.51-3-22.001	1 Family
571-573 Tremont St	120.51-3-21.001	2 Family
587-589 Tremont St	120.51-3-18	2 Family

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended to increase 2020-21 Cash Capital by \$453,000, which amount is hereby appropriated to the two school campus modernization demolition projects authorized in Sections 1 and 2 herein from the RSMP funds authorized therein.

Section 4. The Mayor is hereby authorized to solicit demolition and abatement bids, to enter into any agreement and to execute such documentation as is necessary to effectuate the funding and implementation of the two school campus modernization demolition projects provided for herein, provided that such actions do not obligate or cause the City to incur costs in excess of the amount authorized for each project in Sections 1 and 2.

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmember Evans, Lightfoot, Patterson, Peo – 6.

Nays – Councilmember Gruber, Lupien, Ortiz -3.

Councilmember Patterson moved to return Introductory No. 298 to committee.

The motion was seconded by Councilmember Lightfoot.

The motion was passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Introductory No. 298
 Re: Acquisitions – RCSD School No. 4 Campus Expansion

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the acquisition by negotiation or condemnation of eight properties to expand the campus of George Mather Forbes School No. 4. The acquisitions are part of the School Modernization and will be used to provide an off the street bus loop, additional parking for faculty and staff and green space. These acquisitions will be funded through the Rochester School Modernization Project (RSMP) in accordance with the Rochester Joint Schools Construction Board Resolution No. 2020-21:04 as passed July 13, 2020. The addresses are noted below with the appraised values and property use:

RCSD George Mather Forbes School No. 4 Expansion

	<u>Address</u>	<u>Reputed Owner</u>	<u>SBL No.</u>	<u>Type</u>	<u>Maximum Acquisition Amount</u>
187	Dr Samuel McCree Way	Carol R. Gibson	120.59-1-22	1 Family	\$45,000
193-193.5	Dr Samuel McCree Way	Leonardo Ulloa & Luis D. Ulloa	120.59-1-19	2 Family	\$60,000
204	Dr Samuel McCree Way	Darryl Swain, Jr.	120.51-3-31	1 Family	\$45,000
206	Dr Samuel McCree Way	Jonathan L. Ivey	120.51-3-32	1 Family	\$45,000
183	Jefferson Terrace	Nathan Pinckney	120.51-3-52	1 Family	\$48,000
565	Tremont Street	Phyllis Miller	120.51-3-22.001	1 Family	\$32,000

571-573	Tremont Street	Frances Miller	120.51-3-21.001	2 Family	\$48,000
587-589	Tremont Street	Chad & Christina Terrusa	120.51-3-18	2 Family	\$39,000

The maximum acquisition amounts are supported through independent appraisals performed by Rachel Gaillard of Bruckner, Tillett, Rossi, Cahil & Associates as of December, 2019 and by Steven V. Ferrara of Midland Appraisal Associates, Inc. as of July, 2019 and updated July, 2020.

In the event that the properties cannot be acquired by negotiation, the Corporation Counsel is hereby authorized to commence condemnation proceedings for their acquisition. In the event of condemnation, the amounts set forth herein for the acquisitions shall be the amount of the offers. Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisitions pursuant to the eminent domain procedure law. A public hearing pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of these parcels will be held.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Introductory No. 298

Determinations and findings relating to the acquisition of properties for the George Mather Forbes School No. 4 campus modernization project

WHEREAS, the City of Rochester proposes to acquire the parcels at 187 Dr. Samuel McCree Way, 193-193.5 Dr. Samuel McCree Way, 204 Dr. Samuel McCree Way, 206 Dr. Samuel McCree Way, 183 Jefferson Terrace, 565 Tremont Street, 571-573 Tremont Street, and 587-589 Tremont Street (the "Properties") to effectuate the George Mather Forbes School No. 4 campus modernization project (the "Project"), and

WHEREAS, the Council of the City of Rochester held a public hearing on August 13, 2020 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the acquisition of said parcels and 2 speakers appeared at the hearing.

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

Section 1. The Council hereby makes the following determinations and findings concerning the acquisition of the Properties for the Project:

- I. Project description – The Project will expand the George Mather Forbes School campus to enlarge the playground and add provide an off-street bus loop, additional parking for faculty and staff and green space..
- J. Project purpose – to enhance the safety and wellbeing of students and staff.
- K. Relocation assistance and compensation – The Project will require the removal of several residential dwellings. In accordance with the City’s rules and regulations for relocation benefits approved in Resolution No. 2002-25, fair notice will be given to the occupants of the Properties and a moving allowance of up to \$1,000 will be provided for each dwelling unit. In addition, those occupants who request it will be provided with professional assistance to find comparable replacement housing before they are required to vacate.
- L. Project effect – The acquisition of the Properties and the overall Project will have no significant adverse environmental effects. The Project has been reviewed under the State Environmental Quality Review Act ("SEQR") and Chapter 48 of the Municipal Code, a SEQR Environmental Assessment Form has been completed, and the Project has been determined to have no potential significant adverse environmental impacts, pursuant to an Amended Negative Declaration issued by the Rochester Joint Schools Construction Board on June 20, 2016.

Section 2. This ordinance shall take effect immediately.

HELD IN COMMITTEE

By Councilmember Gruber
August 18, 2020

To the Council:

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

- | | |
|--------------|--|
| Int. No. 302 | Authorizing an engineering design services agreement for railroad crossings within the 2021 Milling & Resurfacing Project – Child Street, Dewey Avenue and Glide Street |
| Int. No. 303 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$806,000 Bonds of said City to finance the Cottage-Magnolia Street Rehabilitation Project |
| Int. No. 304 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$571,000 Bonds of said City to finance water service improvements associated with Cottage-Magnolia Street Rehabilitation Project |
| Int. No. 305 | Authorizing appropriations and agreements for the Cottage-Magnolia Street Rehabilitation Project |
| Int. No. 306 | Bond Ordinance further amending the Bond Ordinance in Ordinance No. 2018-334, as amended by Ordinance No. 2020-184, to authorize the issuance of \$1,340,000 Bonds of the City of Rochester to finance construction and construction inspection services related to the East Henrietta Road Improvement Project (South City Line to Stan Yale Drive) |
| Int. No. 307 | Amending Ordinance Nos. 2019-313 and 2014-143 in relation to the Waring Road Improvement Project |
| Int. No. 308 | Authorizing an agreement for the Weaver Street Rehabilitation Project |
| Int. No. 309 | Authorizing term agreements for mechanical, electrical and plumbing engineering services |
| Int. No. 310 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,000,000 Bonds of said City to finance a portion of the costs of the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacements Project |
| Int. No. 311 | Authorizing funding for the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacements Project |
| Int. No. 312 | Authorizing an agreement for a Shared Mobility System |
| Int. No. 313 | Amending Ordinance No. 2019-336 relating to an agreement for resident project representation services for La Marketa at the International Plaza |
| Int. No. 314 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$12,573,000 Bonds of said City to finance a portion of the costs of the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center project |
| Int. No. 315 | Authorizing an agreement and funding for the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center Project |

Respectfully submitted,
Mitch Gruber
Malik Evans (*Abstained on Int. No. 310 & Int. No. 311*)
Jose Peo
Willie J. Lightfoot
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-258
Re: Agreement – CSX Transportation, Inc., Design Services, 2021 Milling & Resurfacing Project - Child Street (I-490 to Lyell Avenue), Dewey Avenue (Emerson Street to Driving Park Avenue) and Glide Street (Buffalo Road to Lyell Avenue)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active System

Transmitted herewith for your approval is legislation, which will establish \$25,000 as total maximum compensation for an agreement with CSX Transportation, Inc., (Jacksonville, Florida) for engineering design services. The cost of the agreement will be funded from 2016-17 Cash Capital.

The agreement with CSX is required to provide for engineering design services for at-grade railroad crossings on Glide Street and Child Street. The term of the agreement will extend until five (5) years after project completion.

Construction is anticipated to begin in the spring of 2021. The agreement will result in the creation and/or retention of the equivalent of 0.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-153

Ordinance No. 2020-258
(Int. No. 302)

Authorizing an engineering design services agreement for railroad crossings within the 2021 Milling & Resurfacing Project - Child Street, Dewey Avenue and Glide Street

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 CSX Transportation, Inc. to provide engineering design services for at-grade railroad crossings on Glide Street and Child Street as part of the City’s 2021 Milling & Resurfacing Project for portions of Child Street, Dewey Avenue and Glide Street. The maximum total compensation for the agreement shall be \$25,000, which shall be funded from 2016-17 Cash Capital. The term of the agreement shall extend until 5 years after project completion.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-259
Ordinance No. 2020-260
Ordinance No. 2020-261
Re: Cottage-Magnolia Street Rehabilitation Project – Cottage Street (S. Plymouth Avenue to Magnolia Street), Magnolia Street (Cottage Street to Nellis Park) and Seward Street (Magnolia Street to Reynolds Street)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Cottage-Magnolia Street Rehabilitation Project. This legislation will:

1. Authorize the issuance of bonds totaling \$806,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and RPR services for the project; and,
2. Authorize the issuance of water bonds totaling \$571,000 and the appropriation of the proceeds thereof to finance the water portion of construction and RPR services for the project; and,
3. Appropriate \$500,000 from the 2020-21 Community Development Block Grant (CDBG) Residential Street Rehabilitation allocation for infrastructure improvements to partially finance a portion of the construction; and,
4. Authorize the receipt and use of \$650,000 in Dormitory Authority of the State of New York (DASNY) funds to finance a portion of the construction for the project; and,
5. Establish \$325,000 as maximum compensation for a professional services agreement with Joseph C. Lu Engineering, P.C., (Cletus O. Ezenwa, P.E., Chief Executive Officer, 339 East Avenue, Suite 200, Rochester, New York) for Resident Project Representation (RPR) services. The cost of the project will be funded from the sources outlined in the chart on the following page.

Street improvements include milling and resurfacing of the pavement, pavement reconstruction of Magnolia Street between S. Plymouth Avenue and Seward Street, curbs, spot hazardous sidewalk replacement, driveway aprons, installation or upgrade of sidewalk curb ramps, telecommunication conduit, receiving basins, adjustment and repair of manholes, hydrants, water services, tree removal/replacement, one-way south bound conversion of Seward Street from Reynolds Street to Magnolia Street, and a raised crosswalk on Seward Street adjacent to Charles Lundsford School #19. These changes will improve accessibility, safety, drainage and ride ability.

The project was designed by the City of Rochester's Bureau of Architecture and Engineering – Street Design Division.

Joseph C. Lu Engineering, P.C, was selected for RPR Services through a Request for Proposal process, which is described in the attached summary. The agreement shall have a term of three (3) months after completion of the two-year guarantee inspection of the project.

The DASNY Grant for \$650,000 authorized herein was secured through sponsorship by Assemblyman David F. Gantt.

Bids for construction were received on June 30, 2020. The apparent low bid of \$2,179,000 was submitted by Villager Construction, Inc. (Timothy O. Lawless, President, 425 Old Macedon Center Road, Fairport, New York).

The project will be funded as follows:

Source of Funds	Construction	Street Lighting and Trees	RPR	Contingency	Total
CDBG funds appropriated herein	500,000.00	0	0	0	\$500,000.00
DASNY funds authorized herein	650,000.00	0	0	0	\$650,000.00
Bonds authorized herein	352,369.53	46,965.00	256,428.52	150,236.95	\$806,000.00
Water bonds authorized herein	457,266.77	0	68,006.55	45,726.68	\$571,000.00
2017-18 Cash Capital	0	0	564.93	0	\$564.93
Pure Waters Reimbursement authorized Ordinance No. 2020-108	217,063.70	0	0	21,706.37	\$238,770.07
2016-17 Cash Capital	2,300.00	0	0	230.00	\$2,530.00
Total	\$2,179,000	\$46,965.00	\$325,000.00	\$217,900.00	\$2,768,865.00

Construction is anticipated to begin in fall 2020 with substantial completion in fall 2021. The project will result in the creation and/or retention of the equivalent of 30.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-154

Ordinance No. 2020-259
(Int. No. 303)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$806,000 Bonds of said City to finance the Cottage-Magnolia Street Rehabilitation Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the cost of milling, resurfacing and reconstructing roadway pavement and driveway aprons, spot replacement of hazardous sidewalks, installing or upgrading sidewalk curb ramps, telecommunication conduits, and receiving basins, installing a raised crosswalk, and removing and replacing certain trees on and along Cottage Street (South Plymouth Avenue to Magnolia Street), Magnolia Street (Cottage Street to Nellis Park) and Seward Street (Magnolia Street to Reynolds Street) comprising the Cottage-Magnolia Street Rehabilitation Project (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 \$2,197,670. The plan of financing includes the issuance of \$806,000 bonds of the City, which amount is hereby appropriated therefor, \$500,000 in Community Development Block Grant (CDBG) funds from the Residential Street Rehabilitation allocation of the 2020-21 Annual Action Plan, which is appropriated in a concurrent ordinance, \$650,000 in funds from the Dormitory Authority of the State of New York (DASNY), which is appropriated in a concurrent ordinance, \$370 from 2017-18 Cash Capital, the application of \$238,770 in Monroe County Pure Waters reimbursements for sewer work associated with street improvement projects that were appropriated in Ordinance No 2020-108, \$2,530 from 2016-17 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 \$806,000 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 \$806,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2020-260
(Int. No. 304)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$571,000 Bonds of said City to finance water service improvements associated with the Cottage-Magnolia Street Rehabilitation Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of water service improvements and fire hydrants along Cottage Street (South Plymouth Avenue to Magnolia Street), Magnolia Street (Cottage Street to Nellis Park) and Seward Street (Magnolia Street to Reynolds Street) comprising the Cottage-Magnolia Street Rehabilitation Project (the "Project") (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 \$571,195. The plan of financing includes the issuance of \$571,000 bonds of the City, which amount is hereby appropriated therefor, \$195 from 2017-18 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 \$571,000 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 \$571,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2020-261
(Int. No. 305)

Authorizing appropriations and agreements for the Cottage-Magnolia Street Rehabilitation Project

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

Section 1. The Council hereby appropriates \$500,000 in Community Development Block Grant funds for the Cottage-Magnolia Street Rehabilitation Project (the Project) from the Residential Street Rehabilitation allocation of the 2020-21 Annual Action Plan.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Dormitory Authority of the State of New York for the receipt and use of \$650,000 to fund the costs of the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Joseph C. Lu Engineering, P.C. in the maximum amount of \$325,000 to provide resident project representation services for the Project. Said amount shall be funded in the amounts of \$256,428.52 in street work bonds issued for the Project in a concurrent ordinance, \$68,006.55 in water service bonds issued for the Project in a concurrent ordinance, and \$564.93 of 2017-18 Cash Capital. The term of the agreement shall extend until three months after completion of the Project's two-year guarantee inspection.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-262
Re: East Henrietta Road Improvement Project (South City Line to Stan Yale Drive)

Council Priority: Creating and Sustaining a Culture of Vibrancy and Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to East Henrietta Road Improvement Project. This legislation will authorize the issuance of an additional \$335,000 in bonds and the appropriation of the proceeds thereof to finance additional construction for the project by amending Ordinance No. 2018-334, (which previously authorized the issuance of \$230,000 of bonds and was amended by Ordinance No. 2019-184 to \$1,005,000) to a new total of \$1,340,000. The additional funding will be used for concrete pavement base joint repairs and the addition of a traffic signal at the southern City Gate entrance.

The new traffic signal was endorsed by the Traffic Control Board at the July 13, 2020 meeting.

This is a Federal Aid Project that is administered by the City under agreement with NYSDOT.

The Project includes rehabilitation of East Henrietta Road from the South City Line to Westfall Road. Improvements include milling and repaving the existing pavement; pavement joint repairs; pavement widening; new storm water drainage system; new curb, new sidewalk, new street lighting, new traffic signal, new signage, new striping and bike lanes, landscaping, and watermain cathodic protection.

The project was designed by Stantec Consulting Services, Inc. (James R. Hofmann, Jr., Principal, 61 Commercial Street, Suite 100, Rochester, New York).

The total funding for the project is shown on the following page:

Source of Funds	Construction	RPR	Street Lighting	Contingency	Total
FHWA (Ord. No. 2014-391)	571,000	0	0	0	\$ 571,000
FHWA (Ord. No. 2018-333)	168,000	0	0	0	\$ 168,000
FHWA (Ord. No. 2019-183)	5,000	0	0	0	\$ 5,000
NYS Marchiselli Aid (Ord. No. 2018-333)	85,650	0	0	0	\$ 85,650
NYS Marchiselli Aid (Ord. 2019-183)	53,700	0	0	0	\$ 53,700
Rochester Pure Waters (Ord. No. 2018-333)	1,051,735	48,265	0	0	\$ 1,100,000
Rochester Pure Waters (Ord. No. 2018-367)	0	144,195	0	30,000	\$174,195
Bonds authorized (Ord. No. 2018-334)	230,000	0	0	0	\$ 230,000
Bonds authorized (Ord. No. 2019-184)	500,000	200,000	75,000	0	\$ 775,000
Bonds authorized herein	335,000	0	0	0	\$ 335,000
Prior year cash capital	38,000	88,000	0	0	\$126,000
2013-14 Cash Capital	22,927	37,780	0	0	\$ 60,707
2014-15 Cash Capital	52,537	0	15,218	0	\$ 67,755
2015-16 Cash Capital	76,309	660	0	0	\$ 76,969
2016-17 Cash Capital	0	6,100	8,400	97	\$14,597
2017-18 Cash Capital	14,042	0	0	5,958	\$ 20,000
Total	\$3,203,900	\$525,000	\$98,618	\$36,055	\$3,863,573

Construction began in summer 2019. The road work is anticipated to be complete in fall 2020 with the traffic signal completed by summer 2021. The additional funding will result in the creation and/or retention of the equivalent of 3.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-155

Ordinance No. 2020-262
(Int. No. 306)

Bond Ordinance further amending the Bond Ordinance in Ordinance No. 2018-334, as amended by Ordinance No. 2020-184, to authorize the issuance of \$1,340,000 Bonds of the City of Rochester to finance construction and construction inspection services related to the East Henrietta Road Improvement Project (South City Line to Stan Yale Drive)

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

Section 1. Ordinance No. 2018-334, which authorized the issuance of \$230,000 in bonds to finance construction and construction inspection services related to the East Henrietta Road Improvement Project (South City Line to Stan Yale Drive), which was amended by Ordinance No. 2019-184 to increase the bond amount to \$1,005,000, is hereby further amended to increase that bond authorization by \$335,000, so as to read in its entirety as follows:

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of ~~\$1,005,000~~
\$1,340,000 Bonds of said City to finance construction and construction inspection services
related to the East Henrietta Road Improvement Project (South City Line to Stan Yale Drive)**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the cost of the construction and construction inspection services costs, related to the East Henrietta Road Improvement Project (Rochester City Line to Stan Yale Drive) (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is ~~\$3,545,030~~ \$3,863,573. The plan of financing includes the issuance of ~~\$1,005,000~~ \$1,340,000 bonds which are hereby appropriated therefor, \$571,000 in anticipated reimbursements from FHWA (authorized in Ordinance No. 2014-391), \$168,000 in anticipated reimbursements from FHWA (Ordinance No. 2018-333), \$5,000 in anticipated reimbursements from FHWA funds to be appropriated therefor (authorized in Ordinance No. 2019-183), \$85,650 in NYS Marchiselli Aid (Ordinance No. 2018-333), \$53,700 in NYS Marchiselli Aid ~~to be appropriated therefor (appropriated in Ordinance No. 2019-183)~~, \$1,100,000 in anticipated reimbursements from the Rochester Pure Waters District (Ordinance No. 2018-333), \$174,195 in anticipated reimbursements from the Rochester Pure Waters District (Ordinance No. 2018-367), \$126,000 from Prior Years' Cash Capital; \$60,707 from 2013-14 Cash Capital; ~~\$63,537~~ \$67,755 from 2014-15 Cash Capital; ~~\$91,144~~ \$76,969 from 2015-16 Cash Capital; ~~\$21,100~~ \$14,597 from 2016-17 Cash Capital, \$20,000 from 2017-18 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 ~~\$1,005,000~~ \$1,340,000 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 ~~\$1,005,000~~ \$1,340,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City~~2~~ 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.

Section 2. 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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-263
Re: Waring Road Improvement Project (Culver Road to Norton Street)

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation amending ordinances related to the Waring Road Improvement Project. This legislation will:

1. Amend Section 2 of Ordinance No. 2019-313, which authorized the Mayor to accept and use \$166,617 in anticipated reimbursements from New York State Department of Transportation (NYSDOT) to fund design services, right-of-way incidentals and acquisitions for the Project. This amendment will reduce the anticipated reimbursements by \$41,202 to a total of \$125,415; and,
2. Amend Section 3 of Ordinance No. 2019-313, which established the maximum compensation of \$175,000 for a professional services agreement with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. (Todd M. Liebert, C.E.O., 205 Saint Paul Street, Suite 500, Rochester, New York) for evaluation of the Project's preliminary design, final design, right-of-way incidentals and acquisition plan. This amendment will reduce the NYSDOT funds in the agreement by \$41,202 to a total of \$125,415 and replace with \$3,500 in 2014-15 Cash Capital and \$37,702 in 2016-17 Cash Capital; and,
3. Amend Section 2 of Ordinance 2014-143, which approved acquisition of the parcels described below by negotiation or condemnation as part of the Project with acquisition costs not exceeding \$5,400 including closing costs and funded from Prior Year Cash Capital. This amendment will reduce the property takings to one parcel (and reduce the value of that taking) as described below by negotiation or condemnation as part of the project with acquisition costs not to exceed \$2,900 including closing costs and shall be funded from Prior Year Cash Capital.

Address	Property Owner	Sq. Ft.	Value
505 Waring	Charles Smith & Sharon Logan-Smith	24	\$500
451 Waring	David Valentini	12	\$400
375 Waring	Daniel W. Martin & Lori M. Skinner	18	\$200
202 Waring	Marta Ramos	8	\$300
5 Elbert St	Debra J. Siplin	8	\$500
90 Waring	Sarah Labombard	211	\$600 \$500
65 Waring	Rochester Civic Housing, Inc.	68	\$400

A reevaluation of the project’s design and right-of-way acquisitions resulted in the reduction of de minimis property corner acquisitions needed.

R.K. Hite Co., Inc., a sub-consultant under contract with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C (Ordinance No. 2019-313), is responsible for the review appraisal prepared for 90 Waring Road.

The Project includes pavement reconstruction, pavement width changes, realignment of intersecting streets, new curb and bump-outs, curb ramps, sidewalks, driveway aprons, new water main, water services, hydrants, catch basins, manhole adjustments/replacements, stormwater bioretention features, traffic signal upgrades, telecommunication conduit, pavement markings, designated bicycle lanes, signage and tree plantings.

Final design began in fall of 2019 with construction anticipated to begin in spring of 2021.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-156

Ordinance No. 2020-263
 (Int. No. 307)

Amending Ordinance Nos. 2019-313 and 2014-143 in relation to the Waring Road Improvement Project

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

Section 1. Sections 2 and 3 of Ordinance No. 2019-313 are hereby amended to read in their entirety as follows:

Section 2. The Mayor is hereby authorized to accept and use ~~-\$166,617~~ \$125,415 in anticipated reimbursements from the NYSDOT, which amount is hereby appropriated to fund design services, right-of-way incidentals and acquisitions for the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. for evaluation of the Project’s preliminary design, final design, right-of-way incidentals, and acquisition plan. The term of the agreement shall continue until 6 months after final acceptance of the Project. The maximum compensation for the agreement shall be \$175,000 and said amount, or so much thereof as may be necessary, shall be funded from \$8,383 in Prior Years’ Cash Capital, \$3,500 in 2014-15 Cash Capital, \$37,702 in 2016-17 Cash Capital and the \$125,415 in NYSDOT funds appropriated herein.

Section 2. Section 2 of Ordinance No. 2014-143 is hereby amended to read in its entirety as follows:

Section 2. The Council hereby approves the acquisition of the parcels described below by negotiation or condemnation as part of the Waring Road Street Improvement Project. The acquisition costs shall not exceed ~~-\$5,400~~ \$2,900 including closing costs and shall be funded from prior year cash capital.

Address	Property Owner	Sq. Ft.	Value
505 Waring	Charles Smith & Sharon Logan-Smith	24	\$500
451 Waring	David Valentini	12	\$400
375 Waring	Daniel W. Martin & Lori M. Skinner	18	\$200
202 Waring	Marta Ramos	8	\$300
5 Elbert St	Debra J. Siplin	8	\$500

90 Waring	Sarah Labombard	211	<u>\$500</u>	<u>\$600</u>
65 Waring	Rochester Civic Housing, Inc.		68	\$400

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-264
 Re: Agreement – Joseph C. Lu Engineering, P.C. Design Services, Weaver Street Rehabilitation (Remington Street to Hudson Avenue)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Weaver Street Rehabilitation Project. This legislation will establish \$375,000 as total maximum compensation for a professional services agreement with Joseph C. Lu Engineering, P.C. (Cletus O. Ezenwa, P.E., Chief Executive Officer, 339 East Avenue, Suite 200, Rochester, New York) for design services related to this project. The term of the agreement shall extend until three (3) months after completion of a two-year guarantee inspection of the project.

The cost of the agreement will be financed from 2016-17 Cash Capital (\$125,000) and 2020-21 Cash Capital (\$250,000).

Street improvements will include pavement milling and resurfacing, curbs, new driveway aprons, curb ramp upgrades, spot hazardous sidewalk replacement, water service replacements, pavement markings, and adjustment and repair of manholes, receiving basins, and water valve castings. These improvements will enhance the surface drainage and riding quality of the roadway, improve ADA accessibility, and expand the useful life of the pavement structure.

Joseph C. Lu Engineering, P.C. was selected to provide design services through a request for proposal process described in the attached summary.

Design services will begin in fall 2020. Construction is anticipated to begin in the spring of 2022. The design phase of this project results in the creation and/or retention of the equivalent of 4.1 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-157

Ordinance No. 2020-264
 (Int. No. 308)

Authorizing an agreement for the Weaver Street Rehabilitation Project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Joseph C. Lu Engineering, P.C. in the maximum amount of \$375,000 to provide design services for the Weaver Street Rehabilitation Project (Remington Street to Hudson Avenue) (the Project). Said amount shall be funded with \$125,000 of 2016-17 Cash Capital and \$250,000 in 2020-21 Cash Capital. The term of the agreement shall extend until three months after completion of the Project’s two-year guarantee inspection.

Section 2. The agreements 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:

Re: Ordinance No. 2020-265
Mechanical, Electrical, and Plumbing Engineering Professional Term Services Agreements

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to mechanical, electrical and plumbing engineering services. This legislation will authorize five (5) separate Professional Term Service Agreements with the following companies:

1. C & S Engineers, Inc. (John Trimble, C.E.O., 150 State Street, Suite 120, Rochester, NY)
2. Erdman, Anthony and Associates, Inc. (Curt Helman, C.E.O., 145 Culver Road, Suite 200, Rochester, NY)
3. LaBella Associates, D.P.C. (Steve Metzger, C.E.O., 300 State Street, Rochester, NY)
4. M/E Engineering, P.C. (John A. Dredger, C.E.O., 300 Trolley Boulevard, Rochester, NY)
5. Stantec Consulting Services Inc. (Gordon A. Johnston, C.E.O., 61 Commercial Street, Suite 100, Rochester, NY)

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-158

Ordinance No. 2020-265
(Int. No. 309)

Authorizing term agreements for mechanical, electrical and plumbing engineering services

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following companies for mechanical, electrical and plumbing engineering services as required by the City:

- C & S Engineers, Inc.
- Erdman, Anthony and Associates, Inc.
- LaBella Associates, D.P.C.
- M/E Engineering, P.C.
- Stantec Consulting Services Inc.

Section 2. The agreements shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual budgets of the Department of Environmental Services, and if necessary, from capital funds appropriated for specific projects. The compensation for services provided shall be based on pre-specified billing rates established by the City. The term of the agreements shall be three years with the option to renew for two additional years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-266
Ordinance No. 2020-267
Re: Grant Authorization – Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacements

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacements Project. This legislation will:

- 1) Authorize the issuance of bonds totaling \$3,000,000 and the appropriation of the proceeds thereof to partially finance the project; and,
- 2) Appropriate \$1,800,000 in anticipated reimbursements from New York State Empire State Development (ESD) to partially finance the project.

The Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacement project includes the full replacement of six escalators in the convention center, and the conversion of four escalators to fixed stairs in the South Avenue pedestrian bridge and the South Avenue Parking Garage. The project will be sequenced in phases that are coordinated directly with Rochester Riverside Convention Center leadership such that operations will continue throughout all replacements.

The project was designed by LaBella Associates, Inc. (Steven Metzger, C.E.O., 300 State Street, Rochester, New York).

Bids for construction were received on May 26, 2020. The general contractor (GC) is Pike Construction, Inc. (Rufus Judson, C.E.O., One Circle Street, Rochester, NY) for an award of \$4,107,000. The electrical contractor (EC) is McMullen-Bishop Inc. dba Northeastern Electrical (Kurt Bishop, President, 35 Regency Oaks Blvd., Rochester, NY) for an award of \$62,500.

The estimated total cost of the project including design, construction and resident project representation services is \$6,300,000 and will be funded as follows:

Funding Source	Design	Construction Costs	RPR estimate	Contingency	TOTAL
ESD Grant authorized by Ordinance No. 2019-95	800,000	700,000		0	\$1,500,000
ESD Grant Authorized herein	0	1,800,000		0	\$1,800,000
Debt authorized herein	0	1,669,500	420,000	910,500	\$3,000,000
TOTAL	\$800,000	\$4,169,500	\$420,000	\$910,500	\$6,300,000

Construction is anticipated to begin in spring 2021 with anticipated completion in fall 2023.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-266
(Int. No. 310)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,000,000 Bonds of said City to finance a portion of the costs of the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacements 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 replacing 10 escalators, 6 with new escalators and 4 converted to fixed stairways, at the Joseph A. Floreano Rochester Riverside Convention Center (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 \$6,300,000. The plan of financing includes the issuance of \$3,000,000 bonds which are hereby appropriated therefor, \$1,500,000 in New York State Empire State Development (ESD) funds appropriated in Ordinance No. 2019-95, \$1,800,000 in ESD funds which are 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 \$3,000,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

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

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00.a.13 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 by the following vote:

Ayes – President Scott, Councilmembers Gruber, Harris, Lightfoot, Ortiz, Patterson, Peo. 7.

Nays – Councilmember Lupien – 1.

Councilmember Evans abstained due to a professional relationship.

Ordinance No. 2020-267
(Int. No. 311)

Authorizing funding for the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacements Project

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

Section 1. The sum of \$1,800,000 in anticipated reimbursements from New York State Empire State Development (ESD) to be provided in response to the 2016-17 Consolidated Funding Application authorized by Ordinance No. 2016-228 is hereby appropriated for the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacement project (the Project).

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Gruber, Harris, Lightfoot, Ortiz, Patterson, Peo. 7.

Nays – Councilmember Lupien – 1.

Councilmember Evans abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-268
Re: CycleHop, LLC, Rochester Public Shared Mobility System

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 Rochester Public Shared Mobility System. This legislation will authorize an agreement with CycleHop, LLC dba HOPR (Josh Squire, CEO, Miami Beach, FL), for the exclusive operation of a shared mobility system in the public right-of-way and on public land.

Public bikeshare has been a widespread success in the City of Rochester. Well over 100,000 rides were taken on Zagster/Pace bikes between their launch in July 2017 and October 2019, making it the most well-used “dockless” bikeshare system in the nation on a per-bike, per-day basis. Unfortunately, the City was notified in March 2020 that Zagster would be ceasing its Pace Rochester bikeshare operation. The City has since learned that Zagster shuttered its operations nationwide and is in the process of being liquidated.

In March 2020, following an extensive Request for Proposals process, the Rochester Genesee Regional Transportation Authority (RGRTA) authorized a contract with HOPR to provide public bikeshare services within its service area, including the Monroe County suburbs, outside of the City of Rochester. It is anticipated that HOPR will launch service in the region in September 2020.

Since being notified of Zagster’s intent to cease operation, an interdepartmental team led by DES staff reviewed options for re-establishing bikeshare service in the City of Rochester. It was determined that the most timely, cost-effective, and user-friendly option is to partner with RTS to bring HOPR services to the City, thereby creating one system across the entire region. Beyond traditional pedal bikes, it is anticipated that HOPR will also make e-bikes and e-scooters available in the City of Rochester through this agreement. A full justification for not issuing a Request for Proposals is attached.

The HOPR system will function similar to Pace, with residents and visitors able to access shared bicycles, e-bikes, and e-scooters from easily-identifiable stations or other locations in the public right-of-way or on public or publicly-accessible private property, and return them to another location as an extension of the public transportation system.

HOPR will develop, install, own, operate, and maintain the Public Shared Mobility System for a term of three (3) years, with the option to extend for one additional two-year term. The system will accommodate various membership options, ranging from hourly to annual, and incorporate multiple payment options. The system will be available to the public 24 hours per day, seven days per week, on a seasonal basis (April through November).

The system will be primarily supported through user revenue, sponsorships, and advertising. HOPR is not seeking funding to begin service in the city at this time. However, the City may choose to allocate resources toward the Public Shared Mobility System, such as federal Congestion Mitigation and Air Quality (CMAQ) funding, at a later date.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-159

Ordinance No. 2020-268
(Int. No. 312)

Authorizing an agreement for a Shared Mobility System

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 CycleHop, LLC (the Operator) for the exclusive right to develop, install, operate and maintain a Shared Mobility System that includes bicycles, e-bicycles and e-scooters (the System) in the public right-of-way and on public land.

Section 2. The System shall be subject to and operated in compliance with the applicable state and local laws, including but not limited to the New York State Vehicle and Traffic Law and Chapter 34 of the Municipal Code.

Section 3. The term for the agreement shall be three years with an option to extend for an additional term of two years.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-269
Amendatory Agreement – Passero Associates, Engineering, Architecture & Surveying, D.P.C. La Marketa at the International Plaza Resident Project Representation Services (RPR)

Council Priority: Creating & Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the La Marketa at the International Plaza project located at 828 N. Clinton Avenue:

1. Authorizing an amendatory agreement with Passero Associates, Engineering, Architecture & Surveying, D.P.C (John Caruso, P.E., CEO, Rochester, NY) to provide additional Resident Project Representation (RPR) services for the project. The original agreement, authorized in November, 2019 by Ordinance No. 2019-336 established maximum compensation of \$200,000. This amendment will increase the compensation by \$45,000, to a maximum total of \$245,000; and,

2. Amend the funding for the agreement such that the agreement and the amendatory is funded with 2017-18 Community Development Block Grant (CDBG) funds appropriated in Ordinance No. 2018-327 (\$34,692.35); 2018-19 Cash Capital (\$109,553.20) and 2016-17 CDBG funds appropriated by Ordinance 2016-192 (\$100,754.45).

The La Marketa at the International Plaza project will provide a community gathering space to celebrate and build on the arts and cultural assets of the surrounding neighborhood and a place where local entrepreneurs and existing businesses can locate and sell their products and services in a low risk, low cost, flexible environment envisioned to become an incubator for neighborhood economic development. The project will include: permanent restroom and storage building; covered bandstand; dedicated parking lot; central events plaza and access paths; site lighting; perimeter fencing; site amenities; and, landscape enhancements. In addition, the project will be providing converted shipping containers for seasonal and year-round retail use.

The project scope as bid and awarded included five single shipping containers converted for retail use. These five containers were located internal to the site and were only to be provided electric service. The scope was revised to eliminate two of the five single containers and add two double-wide converted containers – one as a full service restaurant container and the other for limited food service. These double containers were relocated to the N. Clinton Avenue frontage to enable them to function year-round. This change necessitated significant design revisions and additional construction needs including: revised internal path system and plaza; modification to the perimeter fence; expanded foundation slabs; and revised utility connections, including electric, gas, water, and sewer, to fully serve the functionality of the containers.

Passero Associates, Engineering, Architecture & Surveying, D.P.C will provide additional RPR services to accommodate the expanded project scope.

Construction began late in 2019 with completion scheduled for fall 2020. The amendatory agreement will result in the creation and/or retention of the equivalent of 0.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-160

Ordinance No. 2020-269
(Int. No. 313)

Amending Ordinance No. 2019-336 relating to an agreement for resident project representation services for La Marketa at the International Plaza

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

Section 1. Section 1 of Ordinance No. 2019-336 is hereby amended to provide for additional resident project representation services and to modify the funding sources for the La Marketa project as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Passero Associates, Engineering, Architecture & Surveying, D.P.C. in the maximum amount of ~~-\$200,000~~ \$245,000 to provide resident project representation services for the La Marketa at the International Plaza project. The agreement shall be funded in the amounts of \$34,692.35 in Community Development Block Grant (CDBG) funds appropriated in Section 3 of Ordinance No. 2018-327, \$100,754.45 in CDBG funds appropriated in Ordinance No. 2016-192 and ~~-\$165,307.65~~ \$109,553.20 from 2018-19 Cash Capital. The term of the agreement shall continue to 3 months after completion of a two-year guarantee inspection of the project.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-270
Ordinance No. 2020-271
Re: Rochester Police Department Goodman Section and Southeast Neighborhood Service Center Services

Council Priority: Public Safety & Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods & Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to Rochester Police Department Goodman Section and Southeast Neighborhood Service Center project. This legislation will:

1. Authorize the issuance of bonds totaling \$12,573,000 and the appropriation of the proceeds thereof to partially finance the project; and,
2. Establish \$975,000 as maximum compensation for a professional services agreement with The Pike Company (Rufus M. Judson, CEO, One Circle Street, Rochester, New York) for construction management services for the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center Project. The cost of the agreement will be financed from bonds authorized herein; and,
3. Authorize the receipt and use of \$1,000,000 of grant funds from a New York State Water Quality Improvement Program (WQIP) award, through the 2019-20 Consolidated Funding Application, to finance a portion of the cost of the project; and,
4. Amending the 2020-21 Budget by increasing Cash Capital in the amount of \$1,684,400 to finance a portion of the cost of the project and appropriate the following amounts:
 - i. \$816,800 from Police Property Clerk funds; and
 - ii. \$867,600 from Federal Forfeiture funds generated by the Rochester Police Department; and,
5. Appropriate \$867,520 from Federal Forfeiture funds generated by the Rochester Police Department, to finance a portion of the cost of the project; and,
6. Amend Ordinance No. 2019-202 to replace \$100,000 of the 2018-19 Cash Capital with \$100,000 of the WQIP grant appropriated herein.

The project includes a new 20,645 square foot, two story building that will house the Goodman Section Police Department and the Southeast Neighborhood Service Center Offices. The project is located on 2.07 acres of land and will include the new building, surface parking for RPD vehicles, personnel vehicles, and public parking, a public plaza space with site amenities and a neighborhood multi-use trail connector for bicycles and pedestrians. Green infrastructure includes a green roof, pervious pavement, and rain gardens for storm water reduction, funded through a New York State Water Quality Improvement Grant authorized herein.

Public meetings were held on October 3, 2018, January 23, 2020 and June 23, 2020. The design consultant for the project is Labella Associates, D.P.C (Steve Metzger, CEO, 300 State Street, Suite 201, Rochester, New York). The original professional services agreement was authorized by Ordinance No. 2019-202.

The Pike Company was selected for construction management services through a request for proposal process which is described in the attached summary. The term of the agreement shall extend until three (3) months after the completion of the two (2) year guarantee inspection of the project. The agreement for construction management services will be funded with bonds authorized herein.

Bids for construction were received on June 23, 2020. The apparent low bid for the general construction contract totaling \$9,010,000 was submitted by DiPasquale Construction Corporation (Chris DiPasquale, President, 5138 West Ridge Road, Spencerport, NY). The apparent low bid for the mechanical contract totaling \$984,000 was submitted by Bell Mechanical Contractor, Inc. (Lawrence D. Bell, Jr., President, 105 Lincoln Parkway, East Rochester, NY). The apparent low bid for the electrical contract totaling \$1,161,800 was submitted by Billitier Electric, Inc. (Richard D. Lincourt, Executive Vice President, 760 Brooks Avenue, Rochester, NY). The apparent low bid for the plumbing contract totaling \$469,000 was submitted by Michael A. Ferrauilo Plumbing & Heating Inc. (Michael A. Ferrauilo, President, 1600 Jay Street, Rochester, NY).

The estimated project cost is \$16,007,320 and will be funded as follows:

Source of Funds	Design	Construction	Construction Management	Contingency	Total
2017-18 Cash capital	750,000	0	0	0	\$ 750,000
NYS WQIP funds authorized herein	100,000	900,000	0	0	\$1,000,000
Bonds authorized herein		11,598,000	975,000	0	\$12,573,000
Police Property Clerk Fund		0	0	816,800	\$816,800
Police Federal Forfeiture funds Appropriated herein		0	0	867,520	\$867,520
Total	\$850,000	\$12,498,000	\$975,000	\$1,684,320	\$16,007,320

Construction is anticipated to begin in fall 2020 with substantial completion in spring 2022. The project will result in the creation and/or retention of the equivalent of 164.8 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-161

Ordinance No. 2020-270
(Int. No. 314)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$12,573,000 Bonds of said City to finance a portion of the costs of the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center 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 Rochester Police Department Goodman Section and Southeast Neighborhood Service Center project on East Main Street at Laura 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 \$16,007,320. The plan of financing includes the issuance of \$12,573,000 bonds which are hereby appropriated therefor, \$750,000 in 2017-18 Cash Capital appropriated in Ordinance No. 2019-202, \$1,000,000 in New York State Water Quality Improvement Program funds appropriated in a concurrent ordinance, \$816,800 in 2020-21 Cash Capital appropriated in a concurrent ordinance, \$867,520 in Federal Forfeiture 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 \$12,573,000 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 \$12,573,000. 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.11(a) of the Law, is thirty (30) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and

credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Patterson -6

Nays – Councilmembers Lupien, Ortiz, Peo -3.

Ordinance No. 2020-271
(Int. No. 315)

Authorizing an agreement and funding for the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with The Pike Company, Inc. for construction management services for the erection of the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center project on East Main Street at Laura Street (the Project). The maximum compensation for the agreement shall be \$975,000, which shall be funded from the proceeds of bonds to be authorized in a concurrent ordinance. The term of the agreement shall continue to 3 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 to be appropriate.

Section 3. The receipt and use of \$1,000,000 in grant funds from the New York State Water Quality Improvement Program (WQIP) award received through the 2019-20 Consolidating Funding Application, is hereby appropriated to fund the Project.

Section 4. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to 2020-21 Cash Capital by the following amounts which are hereby appropriated to the Project:

- a. \$816,800 from Police Property Clerk funds; and

- b. \$867,600 from Federal Forfeiture funds generated by the Rochester Police Department.

Section 5. Section 1 of Ordinance No. 2019-202 is hereby amended to read in its entirety as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates, D.P.C. for design and construction administration services for the erection of two new Rochester Police Department Section Offices for the Lake and Goodman sections (the Project). The maximum compensation for the agreement shall be \$1,600,000 and said amount, or so much thereof as may be necessary, shall be funded from \$1,100,000 in 2017-18 Cash Capital, ~~and \$500,000~~ \$400,000 in 2018-19 Cash Capital and \$100,000 of Water Quality Improvement Program funds appropriated to the Goodman Section portion of the Project in Ordinance No. 2020-271. The term of the agreement shall continue to 3 months after completion of a two-year guarantee inspection of the Project.

Section 6. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Patterson -6

Nays – Councilmembers Lupien, Ortiz, Peo -3.

By Vice President Lightfoot
August 18, 2020

To the Council:

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

- Int. No. 316 Authorizing an amendatory agreement for Rachael Ray Save Them All grant from the Best Friends Animal Society
- Int. No. 317 Amending the 2020-21 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds
- Int. No. 318 Authorizing an amendatory agreement for a Complex Coordinated Terrorist Attack Grant
- Int. No. 319 Authorizing an intermunicipal agreement for the Pathways to Peace program
- Int. No. 320 Authorizing an agreement with the Rochester Area Community Foundation for the Quad A For Kids After School Program at City schools
- Int. No. 321 Authorizing an agreement for a Fire Station Alerting System
- Int. No. 322 Amending Ordinance No. 2017-368 in relation to the provision of Text 911 services for the Emergency Communications Department

Respectfully submitted,
 Willie Lightfoot
 Mitch Gruber (*Voted Nay on Int. No. 318*)
 LaShay D. Harris
 Jose Peo
 Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-272
Re: Amendatory Agreement – Best Friends Animal Society, 2019 Rachael Ray Save Them All grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the Best Friends Animal Society, Rachael Ray Save Them All grant. This legislation will:

1. Authorize an amendatory agreement with Best Friends Animal Society for the 2019 Rachael Ray Save Them All grant. This amendment will extend the current agreement through March 31, 2021.
2. Amend the 2020-21 Budget of the Police Department by \$2,500;

This grant, authorized in Ordinance No. 2019-233, is intended to increase the live release rate of dogs. The funds will be used for animal behaviorist services to conduct assessments and behavior modification training for dogs displaying certain forms of aggression, thereby increasing the animal’s suitability for transfer to one of the City’s animal rescue partners. The assessments and training will be conducted at Rochester Animal Services Center at 184 Verona Street. This is the first time receiving this grant.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-162

Ordinance No. 2020-272
(Int. No. 316)

Authorizing an amendatory agreement for Rachael Ray Save Them All grant from the Best Friends Animal Society

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 Best Friends Animal Society, a Utah nonprofit organization, for the receipt and use Rachael Ray Save Them All grant in the amount of \$2,500 for Rochester Animal Services. The agreement shall amend the grant agreement authorized in Ordinance No. 2019-233 so as to extend the term to March 31, 2021 without increasing the amount of the grant.

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

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended to increase the Budget of the Police Department by \$2,500, which amount is hereby appropriated for the Rachael Ray Save Them All grant program from the funds appropriated to the 2019-20 Budget of Police in Ordinance No. 2019-233.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-273
Re: Budget Amendment – 2020-21 Budget of the Police Department and Undistributed

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending the 2020-21 Budget of the Police Department by \$78,000 and Undistributed by \$8,300 to reflect the balance of carryover funds from existing grants. The funds are itemized below, and will be used for their original intended purpose.

GRANT- YEARS RECEIVING GRANT	RPD Carryover	Undistributed Carryover
2020 Child Passenger Safety Grant- 8 years	\$2,400	\$0
2020 Motor Vehicle Theft Grant –over 10 years	\$1,000	\$0
2020 Petco Foundation- 6 years	\$10,000	\$0
Project CLEAN- 1 st year of grant	\$33,300	\$0
2020 Stop DWI – over 10 years	\$31,300	\$8,300
Total	\$78,000	\$8,300

The Child Passenger Safety Grant supports the Police Department’s efforts to ensure correct use of child car seats. These remaining funds will be used for certification and continuing education of those officers teaching about safety seats at community-based, seat-checking events.

The Motor Vehicle Theft Grant provides funding to support the reduction of auto theft and insurance fraud. These funds will be used to train police officers in specialized anti-theft techniques and technology.

The Petco Foundation grant provides funding for fee-waived adoption events, which will promote adoption of shelter pets.

Project CLEAN (Community, Law Enforcement, and Assistance Network) is funded by the Department of Justice and is aimed at developing community and police crime prevention strategies in the N. Clinton Avenue Neighborhood facing specific and unique crime challenges. These funds are for overtime for Community Engagement Patrols aimed at improving the conditions within Target areas and for enforcement details aimed at reducing the heroine epidemic in the Target areas.

The Stop DWI grant is used for enhanced detection and enforcement of driving while intoxicated and related offenses for the 2020 calendar year. Supported activities include expenses for Stop DWI overtime details and associated fringe costs, training, and underage alcohol enforcement.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2020-273
 (Int. No. 317)

Amending the 2020-21 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds

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

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$78,000, and by increasing the revenue estimates and appropriations to the Budget of Undistributed Expenses by the sum of \$8,300, which amounts are hereby appropriated from unspent grant funds appropriated in previous budgets as shown below. Said funds shall be used for their original purpose.

Grant	RPD Carryover	Undistributed Carryover
2020 Child Passenger Safety Grant	\$2,400	\$0
2020 Motor Vehicle Theft Grant	\$1,000	\$0
2020 Petco Foundation	\$10,000	\$0
Project CLEAN	\$33,300	\$0
2020 Stop DWI	\$31,300	\$8,300
Total	\$78,000	\$8,300

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Peo -8.

Nays – Councilmember Lupien -1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-274

Re: Amendatory Agreement – Monroe County, Complex Coordinated Terrorist Attack Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the Monroe County FY2016 Complex Coordinated Terrorist Attack grant (CCTA). This legislation will:

1. Authorize an amendatory agreement with Monroe County for the FY2016 CCTA grant. This amendment will extend the current agreement for one year, through July 31, 2021.
2. Amend the 2020-21 Budget of the Police Department by \$6,300 and Undistributed Expenses by \$2,000.

These funds will be used for overtime and fringe benefits for Police Officers for the purpose of planning and applicable training that is focused on building or enhancing capabilities to improve the ability to prepare for, prevent, and respond to complex coordinated terrorist attacks. This is the first time receiving this grant. This grant was originally authorized in Ordinance No. 2019-102.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-274
(Int. No. 318)

Authorizing an amendatory agreement for a Complex Coordinated Terrorist Attack 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 amendatory agreement with Monroe County for the City's receipt and use of a fiscal year 2016 Complex Coordinated Terrorist Attack Grant (CCTA) grant. The agreement shall amend the grant agreement authorized in Ordinance No. 2019-102 so as to extend the term to July 31, 2021 without increasing the amount of the grant.

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

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended to increase the Budget of the Police Department by \$6,300 and the Budget of Undistributed Expenses by \$2,000, which amounts are hereby appropriated for the CCTA program from the funds appropriated to the 2019-20 Budgets of Police and Undistributed Expenses in Ordinance No. 2019-102.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Ortiz, Patterson, Peo -7

Nays – Councilmember Gruber, Lupien -2.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-275

Re: Inter-Municipal Agreement - Rochester City School District's Utilization of Pathways to Peace

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with the Rochester City School District for the receipt and use of \$15,000 and amending the 2020-21 Budget of the Department of Recreation and Youth Services (DRYS) by the funds authorized herein to provide Pathways to Peace (PTP) staff support at District athletic and special events. The term of the agreement will not exceed one year.

Under this agreement, the District will reimburse the City for PTP staff expenses for the following services:

1. Emergencies Before or After Athletic Event – at the District’s request, PTP will respond to emergency situations to assist in preventing and mitigating the risk of violence among students and conduct ongoing outreach with the schools to identify and address risks.
2. School District Special Events - At the District’s request, PTP will monitor entry points at special events and activities and will identify potentially violent individuals. PTP will monitor actions of youth at the events, work with District staff and, if applicable, the Rochester Police Department to intervene and prevent violence.

Pathways to Peace has provided these services to the District for the past two school years. This was last authorized by City Council Ord. No. 2019-272 adopted on August 21, 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-275
(Int. No. 319)

Authorizing an intermunicipal agreement for the Pathways to Peace 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 intermunicipal agreement for the receipt and use of \$15,000 from the Rochester City School District (RCSD) in return for the City providing Pathways to Peace staff support at RCSD athletic and special events. The term of the agreement shall be for up to 1 year.

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

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Department of Recreation and Youth Services by the sum of \$15,000, which amount is hereby appropriated from funds to be received under the agreement and for the purpose authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-276

Re: Agreement - Rochester Area Community Foundation, Quad A for Kids

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum annual compensation for an agreement with the Rochester Area Community Foundation to support the Quad A for Kids After School Program. The term of the agreement will be for the remainder of this fiscal year and will be funded from the 2020-21 Budget of Undistributed Expenses, with an option to renew for one additional one-year term contingent upon approval of the future Budgets of the City.

The Quad A After School Program will provide supplemental education through a variety of project-based learning activities for up to 350 children attending the Rochester City School District. The After School Program follows a student-centered curriculum which supports youth and their families by working on social and emotional development, academic enrichment, parenting and family involvement, nutrition and health through arts, athletics, and life skills activities. The program is traditionally offered for three hours per day, five days per week, however Quad A transitioned to virtual programming during the 2019-20 school year when schools closed due to COVID-19. For the upcoming school year, Quad A is working with the District to develop in-person and virtual programming plans in compliance with current COVID-19 related school guidelines. The program will serve students in kindergarten through eighth grade at five District schools from September 2020 to June 2021.

The City has provided support for these afterschool services for six years. The most recent agreement for this service was approved by City Council Ordinance No. 2017-232 adopted on July 19, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-163

Ordinance No. 2020-276
(Int. No. 320)

Authorizing an agreement with the Rochester Area Community Foundation for the Quad A For Kids After School Program at City schools

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 Rochester Area Community Foundation to support the Quad A For Kids After School Program at City schools.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$40,000, which shall be funded from the 2020-21 Budget of Undistributed Expenses and said amount is hereby appropriated for this purpose. The term of the agreement shall be for the remainder of the City's 2020-21 Fiscal Year, with the option to extend the term for one additional one-year period with a maximum annual compensation of \$40,000, contingent upon approval of a future budget.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson -7

Nays – Councilmember Peo -1.

Councilmember Evans abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-277
Re: Agreement – City of Rochester Fire Alerting System

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$1,002,000 as maximum compensation for an agreement with Bryx, Inc., David Earl Thomas, President, to provide hardware, software, installation, training, warranty and two (2) years maintenance for a fire station alerting system.

Fire station alerting systems automate the dispatch and alerting process for fire and rescue personnel to respond to emergency incidents. The fire station alerting system integrates with the Monroe County Emergency Communications Department (ECD) computer-aided dispatch system (CAD) to automatically deliver incident details to facilitate fire company responses. The current CAD, which is approximately 30 years old, is undergoing an upgrade, with an anticipated implementation in December 2020. Due to this, the Rochester Fire Department (RFD) must upgrade its current station alerting system ensure a seamless transition to the new CAD system.

The new station alerting system will provide multiple benefits such as; enhanced communication via multiple devices, decreased response times to incidents, and compliance with NFPA standards. Moreover, it will provide a safe and robust technical foundation that will be a platform into the future of station alerting and fire/rescue dispatch technology.

Bryx, Inc. was selected to provide fire station alerting hardware, software and training through a Request for Proposal process, which is described in the attached summary. The contract term will be for three years. The cost will be funded from a bond appropriation approved by Ord. No. 2021-249, and future Fire Department Operating Budgets upon approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-277
(Int. No. 321)

Authorizing an agreement for a Fire Station Alerting System

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 Bryx, Inc. in the maximum amount of \$1,002,000 to provide hardware, software, installation, training, a warranty and 2 years of maintenance for a new Fire Station Alerting System for the Rochester Fire Department (the Project). Said amount shall be funded in the amounts of \$865,800 from bond proceeds appropriated for the Project in Ordinance No. 2020-249, \$68,100 from the 2021-22 Budget of the Fire Department and \$68,100 from the 2022-23 Budget of the Fire Department, contingent upon the approval of the latter two budgets.. The agreement shall have a term of three years.

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. 2020-278
Re: Amending Ordinance No. 2017-368

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance No. 2017-368, which authorized a professional services with West Safety Solutions, now Intrado Life & Safety Solutions Corporation (John Shlonsky CEO, Omaha Nebraska), to provide text to 911 services and connectivity for the 911 Emergency Communications Center. The ordinance provides for a term of three years with the option to extend the term for up to two additional years. The maximum annual compensation is and will remain \$18,750 for the first year and \$15,000 for each subsequent year of the agreement.

Intrado was not able to commence work on the agreement until August 20, 2019. Therefore, this legislation changes to later fiscal years the Budgets of the Emergency Communication Department (ECD) that will be used to fund the agreement. Year 1 was paid from 2017-18 and the remaining two years will be paid from 2020-21 and 2021-22 contingent upon the approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-278
(Int. No. 322)

Amending Ordinance No. 2017-368 in relation to the provision of Text to 911 services for the Emergency Communications Department

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

Section 1. Sections 1 and 2 of Ordinance No. 2017-368 are hereby amended to read in their entirety as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Intrado Life & Safety Solutions Corporation, ~~formerly known as~~ West Safety Solutions Corp., to improve Text to 911 connectivity for the Emergency Communications Department (ECD). The term of the agreement shall be three years with an option to extend for up to two additional periods of 1 year each.

Section 2. The maximum compensation for the regular term of the agreement shall be \$48,750, which shall be funded from the Budgets of ECD in the amounts of \$18,750 from 2017-18, \$15,000 from ~~2018-19~~ 2020-21, and \$15,000 from ~~2019-20~~ 2021-22, contingent upon the approval of the ~~latter two last~~ Budgets. The maximum compensation for any optional extended term shall be \$15,000 per year, which amount shall be funded from subsequent Budgets of ECD, contingent upon their approval.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By President Scott
August 18, 2020

To the Council:

The **COMMITTEE OF THE WHOLE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 323 Approving an appointment to the Police Accountability Board

Int. No. 325 Authorizing an Intermunicipal Cooperation Agreement with the County of Monroe relating to the Commission on Racial and Structural Equity

Respectfully submitted,
Malik Evans
Mitch Gruber (*Abstained on Int. No. 325*)
LaShay D. Harris
Mary Lupien
Jacklyn Ortiz
Michael A. Patterson
Jose Peo
Willie J. Lightfoot (*Abstained on Int. No. 325*)
Loretta C. Scott

COMMITTEE OF THE WHOLE

Received, filed and published

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2020-28
Re: Appointment – Police Accountability Board

Council Priority – Public Safety

Transmitted herewith for your approval is a resolution to approve the appointment of Danielle Tucker to the Police Accountability Board (PAB). Ms. Tucker was selected from among 3 nominees provided to the City Council by the Police Accountability Board Alliance (PABA) as outlined in Local Law No. 2019-2.

The initial Police Accountability Board members must be appointed to serve staggered terms beginning July 1, 2020. This seat was vacated due to the resignation of the previous Board member and the term will expire on June 30, 2021. Ms. Tucker will serve the remaining portion of this term, and she will be eligible to serve one additional 3 year term. City residency was verified for Ms. Tucker and her resume is on file with the City Clerk.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2020-28
(Int. No. 323)

Approving an appointment to the Police Accountability Board

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

Section 1. The Council hereby appoints Danielle Tucker, who has been nominated for the position by the Police Accountability Board Alliance, to the Police Accountability Board for a term that expires on June 30, 2021.

Section 2. This resolution shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-279
Re: Intermunicipal Agreement Support for the RASE Commission

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation that will support the Commission on Racial and Structural Equity (RASE Commission). In June of this year, following national and local calls for systemic and institutional change, the City Council asked that the Administration establish a task force that included community participation to examine policing in Rochester. It was requested that this group research best practices across the country that address the root causes of the problems we face, collect data, and engage the community to generate actionable steps with timelines that would re-imagine policing in our community. Around the same time the Governor identified new mandates that would impact funding for Police Departments by looking at policies, procedures, practices, and deployment. In response to the confluence of these calls to action, the RASE Commission was established by County Executive Bello and Mayor Warren. This legislation:

- 1) Authorizes an intermunicipal cooperation agreement with the County of Monroe for the City and County to support the RASE Commission in equal amounts for each party not to exceed \$100,000, inclusive of outside grants, and other sources of revenue, together with other in-kind contributions.
- 2) Authorizes an agreement with the Rochester Area Community Foundation to solicit and manage donations to the RASE Commission.
- 3) Authorizes the City to retain a consultant chosen by the RASE Commission to collect and analyze relevant data.

- 4) Amends the 2020-21 Budget of the City to appropriate \$100,000 from the Contingency allocation to fund the City's contribution to the intermunicipal cooperation agreement.

The RASE Commission will consist of 21 members selected by the County Executive and Mayor Warren and is charged with a mandate to:

- (i) inventory and assess current local laws/policies that either promote or are intended to eliminate institutional and structural biases, racism and inequities in the City of Rochester and Monroe County;
- (ii) provide recommendations to enhance current local laws/policies to increase effectiveness, and/or "sunset" local laws/policies that are ineffective or no longer applicable; and
- (iii) provide recommendations on new local laws/policies that address "gaps" identified per (i) and (ii) above for both the public and private sectors of our community.

The Commission is required to provide a report on the inventory, assessment and recommendations described above no later than six months following its formation.

The Commission will require funds and other support to retain facilitators and to access other resources needed to complete its work. The intermunicipal cooperation agreement will provide for the City and the County to share equally in supporting the Commission's work. Instead of limiting their contributions to their own funds, the City and County agree that some of their support may be provided in the form of in-kind services (at mutually agreed upon values) or contributions from third parties.

The legislation also authorizes an agreement with the Rochester Area Community Foundation to solicit and manage donations to the RASE Commission, an agreement with a consultant for the RASE Commission to collect and analyze relevant data, and an amendment to the 2020-21 Budget of the City to appropriate \$100,000 from the Contingency allocation to fund the City's contribution.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-279
(Int. No. 325)

Authorizing an Intermunicipal Cooperation Agreement with the County of Monroe relating to the Commission on Racial and Structural Equity

WHEREAS, the Mayor of Rochester and the Monroe County Executive have authorized the formation of a joint Commission on Racial and Structural Equity (RASE Commission) to consist of 21 members and charged with a mandate to analyze current laws and policies and to develop new or modified policies and legislation to overcome systemic and institutional inequities and racism in Rochester and Monroe County;

WHEREAS, the RASE Commission is required to produce a report of its findings and recommendations within 6 months after its formation; and

WHEREAS, the RASE Commission will need to engage facilitators and to obtain other resources to perform its duties, including the services of the Rochester Area Community Foundation, to solicit, receive and manage community philanthropic donations, and a consultant to collect, analyze and catalog pertinent data;

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

Section 1. The Mayor is hereby authorized to enter into an Intermunicipal Cooperation Agreement with the County of Monroe in the maximum amount of \$200,000, inclusive of outside grants, and other sources of revenue, together with other in-kind contributions, to be provided in equal shares by the City and County to support the work of the RASE Commission.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Rochester Area Community Foundation to solicit, receive and manage community philanthropic contributions in support of the RASE Commission objectives.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with a consultant, to be selected by the RASE Commission following a diligent search process, to undertake data collection and analysis and otherwise render services at the direction of the RASE Commission. The agreement shall be funded through the Intermunicipal Cooperation Agreement cost-sharing arrangement authorized in Section 1 herein.

Section 4. Each of the agreements authorized herein shall have a term not exceeding one year.

Section 5. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended to increase the Budget of the Office of the Mayor by \$100,000, which amount is hereby appropriated from the 2020-21 Contingency allocation, to fund the Intermunicipal Cooperation Agreement authorized herein.

Section 7. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Harris, Lupien, Ortiz, Patterson, Peo -7.

Nays – None -0.

Councilmembers Gruber and Lightfoot abstained due to a professional relationship.

The meeting was adjourned at 9:38 p.m.

HAZEL L. WASHINGTON
City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

September 15, 2020

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

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

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

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

Retirement:

DRYS:

*Robert Matthews

FIN:

*Lorena Cutt

*Lee Scheid

NBD:

*Robert Rinck Jr.

RPD:

*Frank Alberti

*Ignacio Torres

*Darryl Winter

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Peo

RESOLVED, that the minutes of the Regular Meeting on August 18, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

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

Councilmember Patterson presented a petition with 20 signatures in support of adding speedbumps on Long Acre Rd. Petition No. 1771

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on September 10, 2020 on the following matters:

Amending the Zoning Map by changing the zoning classification of properties on Federal Street Int. No. 330
No Speakers

Amending the Zoning Map by changing the zoning classification of properties on Culver Road Int. No. 331
No Speakers

Amending the Zoning Map by changing the zoning classification of properties on Sherer Street and on Craig Street
Int. No. 332
No Speakers

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

Councilmember Gruber moved to introduce Int. No. 346 to the Council.

Councilmember Lupien seconded the motion.

Motion passed by the following vote:

Ayes – President Scott, Councilmember Evans, Gruber, Harris, Lightfoot, Lupien, Patterson -7.

Nays – Councilmember Peo -1.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-280
Rochester Police Department Goodman Section and Southeast Neighborhood Center Services – Repeal

Transmitted herewith for your approval is legislation that will repeal Ordinance Numbers 2020-270 and 2020-271, related to the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center. This legislation will repeal the issuance of Bonds for the project and further repeal the authorization of agreements and funding for the Goodman Section and Southeast Neighborhood Service Center.

This legislation was the culmination of many years of active community engagement and planning that proposed five police section offices and neighborhood service centers. The building on East Main Street was slated to be the first completed section office and service center.

In the weeks since the August City Council meeting, the Council and community learned about the tragic death of Daniel Prude while in police custody in March. This new information, and the recent retirement or voluntary demotion of the entire RPD Command staff, has led the Council to reconsider the appropriateness of the project at this time.

Respectfully submitted,
Loretta C. Scott
President

Mitch Gruber
Councilmember

Mary Lupien
Councilmember

Ordinance No. 2020-280
(Int. No. 346)

Repealing Ordinance Nos. 2020-270 and 2020-271 relating to the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center project

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

Section 1. Ordinance No. 2020-270, Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$12,573,000 Bonds of said City to finance a portion of the costs of the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center project, is hereby repealed.

Section 2. Ordinance No. 2020-271, Authorizing an agreement and funding for the Rochester Police Department Goodman Section and Southeast Neighborhood Service Center project, is hereby repealed.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Patterson -7.

Nays – Councilmember Peo -1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-281

Re: Amending Ordinance Nos. 2017-165 and 2019-86 – 270 East Avenue Affordable Housing Project –Inner Loop Site 2

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance Nos. 2017-165 and 2019-86, related to 270 East Avenue Apartments, an affordable rental housing development located on Inner Loop Site 2. The affordable project, which was initially proposed to develop market rate rental housing, is being undertaken by Christa Development Corporation, LLC (David Christa, Principal) and CSD Housing, LLC (Michael F. Dehmler, Keri Curtis, Mark Shortino, Co-Principals).

Specifically, this legislation will amend Ord. No. 2017-165, Section 1, to accommodate implementation of low-income housing tax credits by authorizing sale of the parcel to 270 on East Housing Development Fund Corporation, a New York not-for-profit corporation (“HDFC”), formed by Christa Development Corporation, whose President and sole Director is David Christa:

Further, this legislation will amend Ord. No. 2019-86 as follows, to:

1. Amend Section 2, to reduce the annual interest rate from 3% to 2%;
2. Amend Section 2, to extend the permanent loan term from fifteen years to thirty years;
3. Amend Section 2, to replace “IL2 LLC” with “270 on East, LLC, or an affiliated entity or housing development fund corporation formed by Christa Development Corporation;”
4. Amend Section 2, to reflect the permanent loan will be a 30 year, 2% interest-only, with cash flow dependent loan payable annually in years 1 through 15, and must-pay loan interest payable annually in years 16 through 30, with the outstanding principal balance and any accrued interest due at the end of the thirty year term.

Additionally, this legislation will:

5. Authorize a property tax exemption and payment-in-lieu of taxes agreement for the 270 East Avenue Apartments project, which will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs);
6. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein;
7. Authorize the Mayor to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

Ordinance No. 2019-86 authorized a loan of \$1,500,000 to IL2 LLC for the new construction of 270 East Avenue Apartments. That loan was approved in April 2019, and, in Summer and Fall of 2019, Christa worked with funders, investors, and local stakeholders to develop the project as it was originally envisioned. However, due to changes within the housing market and with their financing options, the development team submitted an amended project structure. The project was changed from a market-rate housing development to an affordable, workforce housing development. After receiving feedback from community stakeholders, lenders, investors, and the State, Christa determined that this was the type of project most needed and most likely to be funded by New York State Housing Finance Agency.

The changes resulted in a modified rent structure and the addition of units affordable to Very-Low Income households (at or below 50% AMI), as well as 55 units set-aside for supportive housing purposes. Overall, the project rents shifted downward significantly, and now includes units for special needs populations. The change to the project creates new very-low income (50% AMI) affordable and supportive housing units to the Inner Loop Infill project, and will help expand housing options and diversity in downtown Rochester. Landsman Development Corporation (James A. Goff, CEO), 3 Townline Circle, Rochester, NY, 14623, will serve as the property manager for the project. The initial and proposed unit mix is included below:

Affordability	Original	Proposed
50% AMI		8
50% AMI - Supportive		55
60% AMI		36
80% AMI	21	13
Market Rate	82	
Total Units	103	112

270 East Avenue Apartments includes the construction of a new five-story, 118,450 square-foot, 112 unit multifamily structure with 50 indoor parking spaces and a 14 space surface parking lot. The building will offer 49 studios, 36 one-bedroom, and 27 two-bedroom units, with two elevators, main offices on the first floor, a business/computer center, and a patio on the 5th floor. Storage is available in each unit, and laundry/common rooms are located on each floor. Residents will have access to covered seating areas along East Avenue and the corner of North Union Street, and the North Union Street side of the site has a planned artwalk that will tie into the neighboring community and adjacent bicycle lane.

The project involves the creation of 112 new rental units intended for very low-income and low-income households. 55 units will be set aside for special needs populations, and will be targeted to homeless and formerly homeless veterans and frail elderly, including those at-risk of homelessness, who will pay no more than 30% of their monthly income toward rent. The supportive housing service providers for the project, Episcopal SeniorLife Communities (ESLC) and Eagle Star Housing, Inc. (Eagle Star), have been awarded Empire State Supportive Housing Initiative (ESSHI) funding to subsidize both the supportive services required by those tenants and each qualifying households' rent. ESLC will serve 35 formerly homeless or frail elderly households, and services to be offered include a continuum of care to include community wellness. Eagle Star will serve 20 formerly homeless or at risk of homelessness veteran households, with services that include collaboration with a variety of providers to ensure each veteran's needs are met.

The commercial component of the project remained, and Christa released a Request for Proposals (RFP) to secure a tenant for the proposed affordable daycare. The Christa development team selected a partner in late fall/early winter 2020, however, due to the Coronavirus pandemic, the daycare center was unable to obtain financing. A new approach was devised, one which allowed both components of the project to move forward without requiring a loss of affordability or a delay to the timeline. The site will be subdivided, with the larger parcel being used for the residential component and the smaller parcel to be developed and filled by a new commercial tenant.

This \$30.5 million affordable project will utilize the following funding sources; New York State Housing Finance Agency Tax Exempt Bonds, NYS Supportive Housing Opportunities Program (SHOP), City of Rochester loan, deferred developer fee and limited partner equity through the sale of Low Income Housing Tax Credits (LIHTC).

The sources and uses for the project are summarized below:

Uses		Permanent Sources	
Acquisition	600,000	HFA 1 st Mortgage (Bonds)	4,310,000
Soft Costs	5,108,862	HFA – Subsidy - SHOP	13,390,000
Hard Costs	20,401,710	City of Rochester	1,500,000
Reserves	484,263	Sponsor Loan	515,351
Developer Fee	3,853,340	Tax Credit Equity	9,687,766
		Deferred Developer Fee	1,045,057
Total Uses	30,448,175	Total Sources	30,448,175

The development team for 270 On East plans to close on project funding and begin construction in October 2020. Workforce goals for the project are 6.9% women and 20% minorities and 25% City residents, along with a combined goal of 30% for MBE/WBE firms.

The City's Loan Review Committee approved the loan on March 20, 2019, and the Committee approved the amended loan terms on September 11, 2020. The PILOT was recommended for approval by the PILOT Review Committee on September 9, 2020. A National Environmental Policy Act or NEPA review is not required, and the City completed a SEQR review and issued a Negative Declaration for the project on December 23, 2013.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-281
(Int. No. 347)

Amending Ordinance Nos. 2017-165 and 2019-86 and authorizing a payment in lieu of taxes agreement relating to the 270 East Avenue Affordable Housing Project - Inner Loop East Site 2

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

Section 1. Section 1 of Ordinance No. 2017-165, authorizing the sale of a land parcel at 270 East Avenue to establish the 270 East Avenue Affordable Housing Project - Inner Loop East Site 2 (the Project), is hereby amended to read in its entirety as follows:

Section 1. The Council hereby approves the negotiated sale with proposal of 270 East Avenue (SBL# 121.25-01-52), comprising approximately 1.37 acres of vacant land that has been assembled from the Inner Loop East Transformation Project, to ~~Rochester Loop 2 LLC~~ 270 on East Housing Development Fund Corporation, a New York not-for-profit corporation formed by Christa Development Corporation (HDFC), to establish a mixed use development extending from East Avenue to Charlotte Street. The sale price shall be \$600,000.

Section 2. Section 2 of Ordinance No. 2019-86, authorizing a loan agreement for the Project, is hereby amended to read in its entirety as follows:

Section 2. The Mayor is hereby authorized to enter into a loan agreement with ~~HL2 LLC 270 on East, LLC, the nominating affiliate of HDFC (the Borrower)~~ in the amount of \$1,500,000 to fund a portion of the costs of the residential component of the Project. The loan shall be funded from the amount appropriated in Section 1 herein, ~~have provide permanent financing for a term of fifteen thirty years that commences with the completion of construction~~, and have an annual interest rate of ~~3% 2%~~. ~~During the construction period loan repayments shall be interest only payable monthly. Upon conversion to permanent financing, monthly repayments of principal and interest shall be amortized on a 30-year schedule~~ Annual repayments of interest only shall be made in years 1 through 15 if the Borrower has sufficient cash flow. For years 16-30 annual repayments of interest only shall be made without regard to the Borrower's cash flow. A balloon payment of ~~the remainder of the loan principal and any unpaid~~ interest shall be due at the end of the loan term. As a condition of the loan, ~~at least 20% 13~~ of the Project's dwelling units shall be rented to households with incomes not exceeding 80% of the Area Median Income (AMI), 36 additional dwelling units shall be rented to households with incomes not exceeding 60% of AMI, and 63 additional dwelling units shall be rented to households with incomes not exceeding 50% of AMI. The Mayor is hereby authorized to adjust the loan interest rate and other terms and conditions of the agreement in order to conform to legal and other requirements of the Project.

Section 3. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT Agreement) with HDFC or its affiliate for 270 East Avenue (SBL# 121.25-01-52) in order to effectuate the Project. The PILOT Agreement shall provide that said parcel shall remain entitled to a real property tax exemption, provided that the HDFC or its affiliate makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 4. The term of the PILOT Agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that time if and when the Project is no longer operated for the purpose of providing affordable leased housing in accordance with the financing as well as other legal requirements.

Section 5. The PILOT agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the sale and agreements authorized herein.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2020-282
Budget Transfer – Family and Victims Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending the 2020-21 Budget of the City of Rochester for operation of the Family and Victims Services Office within the Department of Recreation and Youth Services sub-bureau of Crisis Intervention Services. This legislation will:

1. Transfer \$681,100 from the 2020-21 Budget of the Police Department to 2020-21 Budget of the Department of Recreation and Youth Services. The transfer reflects the remaining available fiscal year funds for operation of the Family and Victims Services office.
2. Transfer \$236,700 from the 2020-21 Budget of Contingency to 2020-21 Budget of the Department of Recreation and Youth Services. This is a portion of the \$750,000 allocated to racial equity initiatives during the 2020-21 budget process. These funds will expand DRYS Crisis Intervention Services' capacity to deploy emergency response teams in the community through the addition of full-time and part-time positions and funding for supplies, materials, professional development, and other related expenses.
3. Transfer \$63,300 from the 2020-21 Budget of Contingency to 2020-21 Budget of the Undistributed Expenses for personnel fringe benefits expenses. This is a portion of the \$750,000 allocated to racial equity initiatives during the 2020-21 budget process.

The Family and Victims Services Office provides critical support and intervention services to victims of crime and families in crisis through the Family Crisis Intervention Team (FACIT) and the Victims Assistance Unit (VAU). FACIT responds to crisis situations such as homicides, suicides, fatal accidents, family conflicts, domestic violence, mental health, needs of the elderly, or violent acts witnessed by children, and provides on scene assessment to assist the traditional law enforcement response to provide the best long-term solution. VAU provides services to victims of crimes and their families including counseling, education on the judicial system, transportation assistance, and referrals to community-based service providers.

The transfer of the Family and Victims Services Office from the Police Department to DRYS will allow the City to effectively respond to crisis situations with trained and experienced behavioral and mental health professionals independent of law enforcement protocols.

Respectfully submitted,
Lovely A. Warren
Mayor

Loretta C. Scott
Council President

Willie J. Lightfoot
Council Vice President

Malik D. Evans
Councilmember

Mitch Gruber
Councilmember

LaShay D. Harris
Councilmember

Mary Lupien
Councilmember

Michael A. Patterson
Councilmember

Jose Peo
Councilmember

Ordinance No. 2020-282
(Int. No. 348)

Amending the 2020-21 Budget relating to Family and Victim Services, emergency response teams and racial equity initiatives

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

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by transferring \$681,100 from the Budget of the Police Department to the Budget of the Department of Recreation and Youth Services (DRYS), which amount is hereby appropriated to provide Family and Victim Services in crisis situations with trained and experienced behavioral and mental health professionals independent of law enforcement protocols.

Section 2. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by transferring \$236,700 from the Budget of Contingency to the Budget of DRYS, which amount is hereby appropriated to expand the DRYS Crisis Intervention Services' capacity to deploy emergency response teams.

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by transferring \$63,300 from the Budget of Contingency to the Budget of Undistributed, which amount is hereby appropriated to cover the benefit costs of staff hired to expand the DRYS Crisis Intervention Services' capacity to deploy emergency response teams.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Lightfoot moved to introduce Int. No. 349 to the Council.

Councilmember Patterson seconded the motion.

Motion passed by the following vote:

Ayes – President Scott, Councilmember Evans, Gruber, Harris, Lightfoot, Lupien, Patterson, Peo -8.

Nays – None -0.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-283
Re: Independent Investigation and Legal Services for City Council

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum compensation for an agreement with Emery, Celli, Brinkerhoff, Abady, Ward & Maazel LLP, New York, NY (principal: Andrew G. Celli, Jr.) to fund an independent investigation into the internal communications, processes, and procedures that took place related to the death of Daniel Prude while in police custody, including both the Administration and the City Council. These funds will be taken from the FY 2020-21 Contingency Budget, but will not be taken from the funds set aside by the Council during the budgeting process.

Mr. Celli and his firm have a current contract with the City Council, serving as outside legal counsel for an ongoing lawsuit related to the Police Accountability Board. The City Council has selected to engaged Emery, Celli, Brinkerhoff, Abady, Ward & Maazel LLP, because of the firm's familiarity with the City and its operations as well as the City Council's confidence in their integrity and independence. In addition, the public safety crisis in the City demands that the investigation begin immediately so that answers can be provided to the public in an expeditious manner. Mr. Celli and his team will act wholly independent of the City Council, the Council has not and will not instruct Mr. Celli as to what to find nor conclude, and at the conclusion of this investigation, Mr. Celli will issue a report that the Council will make public.

After preliminary discussions, Mr. Celli has outlined that he and his team will look into approach this investigation with three goals:

- To establish a comprehensive timeline of events beginning with the initial 911 call placed on March 23, 2020 and continuing through and beyond the FOIL request for and the public release of police body cam footage, investigations by the Rochester Police Department, the Monroe County Medical Examiner's Office, and the Office of the New York Attorney General (OAG), and the public statements by Rochester officials in the wake of these events.
- To determine whether officials or employees of the City of Rochester, including City Council, were accurate and forthright in their *non-public* (i.e., internal) statements to one another concerning information related to the death of Daniel Prude based on the state of their knowledge when such statements were made, and where not, why not. Including whether internal notification protocols were in place and were followed in this case; and whether decision-making about next steps, public notification, cooperation with the Office of the Attorney General (OAG), and related matters occurred at the appropriate level and with notice to all relevant stakeholders within City Government.
- To determine whether officials or employees of the City of Rochester, including City Council, were accurate and forthright in their *public* statements concerning the Prude Incident based on the state of their knowledge when such statements were made - and where not, why not. Including identifying if there was an effort by anyone to suppress the facts surrounding Mr. Prude's death and/or any other aspect of the Prude Incident and, if so, by whom, for what purpose, and with whose knowledge.

Emery, Celli, Brinkerhoff, Abady, Ward & Maazel LLP, will begin their work immediately upon the passage of this legislation and will aim to have a fully developed report issued to the City Council within three months. The duration of this investigation is dependent upon multiple factors including a willingness of all parties to participate openly in the process. Mr. Celli has agreed to inform the Council if time delays have occurred during the investigation.

The City Council will also engage Linda Kingsley, former City of Rochester Corporation Counsel and current Albany Law professor, to provide temporary pro-bono guidance and advice to the Rochester City Council relating to the legislative duties of the Council in accordance with Rochester City Charter Section 5-21(D). This engagement will require no compensation, and the term of the agreement will expire at the discretion of the two parties.

Respectfully Submitted,
Loretta C. Scott
President

Willie J. Lightfoot
Vice President

Malik D. Evans

Mitch Gruber

LaShay D. Harris

Mary Lupien

Michael A. Patterson

Jose Peo

Attachment No. AT-164

Ordinance No. 2020-283
(Int. No. 349)

Authorizing funding and agreements to retain independent legal counsel for the City Council

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

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by transferring \$100,000 from the Budget of Contingency to the Budget of City Council and Clerk.

Section 2. Pursuant to City Charter § 5-21(D), the Council President is hereby authorized to enter into a professional services agreement with the law firm of Emery, Celli, Brinkerhoff, Abady, Ward & Maazel LLP to conduct an independent investigation into the City’s communications, processes, and procedures that took place related to the death of Daniel Prude in police custody. The law firm shall produce an investigation report that addresses the three goals of the investigation, which are: to establish a comprehensive timeline of events; to assess the nature of non-public internal statements made by City of Rochester officials and employees relating to the death of Daniel Prude; and to evaluate the public statements of City officials and employees relating to the death of Daniel Prude. The maximum compensation for the agreement shall be \$100,000, which shall be reimbursed from the funds transferred to the 2020-21 Budget of City Council and Clerk in Section 1 herein. The term of the agreement shall continue until the law firm submits its final report.

Section 3. The Council President is hereby authorized to enter into a professional services agreement with Linda Kingsley, Esq. to provide temporary *pro-bono* counsel and advice to the Rochester City Council relating to the legislative duties of the Council in accordance with Rochester City Charter Section 5-21(D). This engagement shall require no compensation, and the term of the agreement shall expire at a time or event agreed upon by the parties.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

By Councilmember Evans
September 15, 2020

To the Council:

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

- Int. No. 326 Authorizing the cancellation or refund of erroneous taxes and charges
- Int. No. 327 Authorizing an amendatory agreement with CypherWorx, Inc. for online employee training
- Int. No. 345 Authorizing an agreement for expert witness services for the Law Department

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-284
 Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$550,614.45.

There was an error in the 2016-17 PILOT bill for 40-52 Chestnut Street. The City, at the direction of the Law Department, corrected the bill, but did not relay the error to Monroe County. The 2017 County PILOT bill was not corrected and went unpaid by the owner. In November of 2018, the attorney for Imagine Monroe/COMIDA sent correspondence to the owner cancelling the lease, lease-back and PILOT on the property because the 2017 and 2018 Monroe County PILOT bills had not been paid. At that time the property was immediately put back on the tax roll and supplemental taxes were charged, as the July 1, 2018-19 city/school PILOT also had not been paid. However, the owner paid the 2018-19 city/school PILOT on 11/30/2018 and the 2018 Monroe County PILOT bill on 12/10/18. The owner had not yet paid the 2017 County PILOT bill because it had not been corrected. The owner approached the City with this hardship and with a letter of support from the City of Rochester in August 2019, Imagine Monroe/COMIDA reinstated the PILOT retroactively to November 19, 2018. The property was put back under COMIDA when the 2019-20 city/school PILOT bill was paid in May 2020.

The property located at 1183 Scottsville Road is a vacant parcel of land. Due to a clerical error, a delinquent refuse charge was added to tax when it should have been added to 1157 Scottsville road. The tax billing/receivable system has been corrected.

393 Lexington Avenue is owned by Rochester Refugee Resettlement Services, Inc. which is a non-profit organization. The organization had filed the necessary applications and supporting documents for a tax exemption under RPTL 420-a by the due date of February 1, 2020. Due to a clerical error, the exemption was not processed.

The City of Rochester Bureau of Water annually adds delinquent water bills to the associated property tax bill. Some water accounts are flagged to leave the delinquent balance on the water account. This can be due to various reasons including pre-existing payment arrangements, the recent sale of a property or other reasons. Inadvertently, 120 accounts were added to the tax bill that were intended to be left off. The Bureau of Water is proposing to cancel the added to tax amounts listed and will return those balances to their water account.

If these cancellations are approved, total cancellations thus far for 2019-20 will be as follows:

	<u>Accounts</u>	
City Council	123	\$550,616.45
Administrative	<u>0</u>	<u>\$0.00</u>
Total	123	\$550,616.45

These cancellations represent 0.2013% of the tax receivables as of July 1, 2020.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-165

Ordinance No. 2020-284
(Int. No. 326)

Authorizing the cancellation or refund of erroneous taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges:

S.B.L. #	Class	Address	Tax Year	Cancelled	Subtotal
(A) 121.24-2-37	N	40-52 Chestnut St.	2020	\$341,266.52	\$341,266.52

There was an error in the 2016-17 payment in lieu of taxes (PILOT) bill for this address. The City, at the direction of the Law Department, corrected the bill, but did not relay the error to Monroe County. The 2017 County PILOT bill was not corrected and went unpaid by the owner. In November of 2018, the attorney for Imagine Monroe/COMIDA sent correspondence to the owner cancelling the lease, lease-back and PILOT arrangement on the property because the 2017 and 2018 Monroe County PILOT bills had not been paid. At that time the property was immediately put back on the tax roll and supplemental taxes were charged, as the July 1, 2018-19 city/school PILOT also had not been paid. However, the owner paid the 2018-19 city/school PILOT on 11/30/2018 and the 2018 Monroe County PILOT bill on 12/10/18. The owner had not yet paid the 2017 County PILOT bill because it had not been corrected. The owner approached the City with this hardship and with a letter of support from the City of Rochester in August 2019, Imagine Monroe/COMIDA reinstated the PILOT retroactively to November 19, 2018. The property was put back under COMIDA when the 2019-20 city/school PILOT bill was paid in May 2020.

(B) 135.13-1-1.2/LS11	N	1183 Scottsville Rd.	2021	\$1,738.90	\$1,738.90
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This property is a vacant parcel of land. Due to a clerical error, a delinquent refuse charge was added to the bill for this property when it should have been added to 1157 Scottsville Road. The tax billing/receivable system has been corrected.

(C) 105.25-3-5.2	N	393 Lexington Ave.	2020	\$2,933.29	\$2,934.10
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This property is owned by Rochester Refugee Resettlement Services, Inc. which is a non-profit organization. The organization had filed the necessary applications and supporting documents for a tax exemption under RPTL 420-a by the due date of February 1, 2020. Due to a clerical error, the exemption was not processed on time.

(D) Various	N & H	See Exhibit A	2020	\$204,676.93	\$204,676.93
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The City Water Bureau annually adds delinquent water bills to the associated property tax bill. Some water accounts are flagged to leave the delinquent balance on the water account. This can be due to various reasons including pre-existing payment arrangements, the recent sale of a property or other reasons. Inadvertently, 120 accounts were added to the tax bill that were intended to be left off. The Water Bureau will cancel the added to tax amounts listed and will return those balances to their water account.

GRAND TOTAL \$550,616.45

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Exhibit A

Account #	Address	SBL	Water Charges Removed
52048300	451 Flower City Pk	090 500 0002 017 000 0000	29,466.75
52035200	83 RIDGEWAY AV	090 430 0003 067 000 0000	18,755.01

16042500	426 AVE D	091 780 0003 050 000 0000	8,713.97
18037000	1021 North St	106 250 0003 071 000 0000	4,261.66
15015700	71 Ave A	106 210 0001 039 001 0000	4,229.47
52092000	191 Pullman Avenue	090 430 0001 002 000 0000	3,752.56
03091300	29 Helena Street	106 490 0003 012 000 0000	3,377.63
42002000	154 Salina Street	120 640 0001 034 000 0000	3,344.18
23075700	1939 Clifford Av	107 300 0003 015 000 0000	3,292.02
49048000	100 Linnet Street	105 250 0002 066 000 0000	3,181.50
18098000	94 Sobieski St	091 730 0001 046 000 0000	2,897.79
49047500	491 Lexington Av	105 250 0002 071 000 0000	2,873.84
44024700	396 Orange St	105 820 0003 052 000 0000	2,712.73
49061300	22 Holmes Street	105 250 0002 004 000 0000	2,557.73
46007100	7 Kondolf St	105 820 0001 073 000 0000	2,534.08
25065700	102 Ellison St	107 450 0003 071 000 0000	2,483.72
39084400	161 Maxwell Av	135 330 0001 024 000 0000	2,167.11
05013600	185 Second Street	106 510 0001 016 000 0000	2,039.24
48098300	144 Michigan Street	105 410 0004 064 000 0000	1,998.43
47014800	48 Rogers Avenue	105 570 0001 053 000 0000	1,911.33
03053400	32 Quamina Drive	106 390 0003 032 000 0000	1,821.19
16099700	680 Ave D	091 800 0001 027 000 0000	1,816.31
46000800	52 Lime St	105 740 0003 014 000 0000	1,813.65
13089600	91 Locust Street	105 420 0001 010 000 0000	1,780.07
39022000	48 Hillendale Street	135 230 0002 037 000 0000	1,770.60
09068600	291 Columbia av	120 680 0003 048 000 0000	1,766.23
50059500	416 Electric Avenue	090 480 0002 098 000 0000	1,719.54
50064200	229 Electric Ave	090 570 0001 033 000 0000	1,650.70
52102000	235 Avis Street	090 410 0002 027 000 0000	1,648.30
11009800	493 Hawley St	120 740 0001 018 000 0000	1,620.87
Account #	Address	SBL	Water Charges Removed
47013000	151 Warner Street	105 570 0001 016 000 0000	1,605.93
12012000	63 Dengler St	120 350 0002 092 000 0000	1,589.59
56103900	81 Redwood Rd	090 440 0001 008 000 0000	1,583.07
51099800	10 Fairview Heights	090 750 0001 048 000 0000	1,556.44
58121000	1367 Norton Street	091 670 0001 037 000 0000	1,541.94
39062300	339 Ellicott Street	135 320 0002 009 000 0000	1,538.60
21027200	56 Portage Street	106 280 0001 069 000 0000	1,496.13
25027600	338 Webster Avenue	107 530 0002 091 000 0000	1,429.28
52103100	327 Avis Street	090 410 0002 016 000 0000	1,417.77
44101400	194 Independence Street	120 310 0001 087 000 0000	1,389.09
14028500	253 Driving Park Av	090 820 0003 057 000 0000	1,372.52
49060700	52 Holmes Street	090 810 0003 043 000 0000	1,371.21
13047400	79 Emerson St	105 430 0002 019 000 0000	1,367.18
47057300	784 Glide Street	105 550 0002 028 000 0000	1,340.83
49005600	292 Curlew Street	105 240 0002 041 000 0000	1,314.96

19040700	229 Durnan St	091 820 0001 020 000 0000	1,313.48
21024000	10 Manitou Street	106 350 0001 041 000 0000	1,306.86
42072500	157 Kenwood Av	120 580 0001 006 000 0000	1,289.67
16041800	702 Joseph Av	106 230 0003 040 000 0000	1,274.60
09073100	269 Seward St	121 690 0001 009 000 0000	1,263.16
20021600	33 Sylvester Street	091 680 0002 005 000 0000	1,217.30
49032500	371 Glenwood Av	105 340 0001 003 000 0000	1,194.87
58104400	99 Brookhaven Terrace	091 580 0003 034 000 0000	1,172.13
53018200	99 Rand Street	090 330 0001 043 000 0000	1,166.61
14099000	39 Rialto St	091 780 0002 055 000 0000	1,116.74
44014700	363 Campbell Street	120 260 0001 071 000 0000	1,111.44
39042600	685 Thurston Rd	135 320 0001 017 000 0000	1,105.81
51036300	32 Argo Park	090 800 0001 054 000 0000	1,097.20
47051600	44 Rockview Terrace	105 630 0002 064 000 0000	1,072.36
47041100	223 McNaughton Street	105 470 0004 013 000 0000	1,052.54
44048600	9 Elser Terrace	120 320 0002 008 000 0000	1,048.95
46076400	187 Sherman St	105 580 0001 019 000 0000	1,047.94
17047200	94 Warsaw St	091 730 0004 028 000 0000	1,038.25
04089900	340 Sixth Street	106 440 0002 003 000 0000	1,009.50
46048100	519 Hague Street	105 720 0001 027 000 0000	1,002.49
49060300	459 Driving Park Ave	090 810 0003 016 000 0000	997.46
32018800	244 Rutgers	121 590 0002 066 000 0000	992.87
50054000	465 Clay Avenue	090 490 0002 018 000 0000	991.97
13089500	88 Locust Street	105 340 0003 052 000 0000	969.23
Account #	Address	SBL	Water Charges Removed
41017800	56 Aldine Street	120 660 0003 050 000 0000	968.92
20020500	93 Sylvester Street	091 680 0002 016 000 0000	951.66
17069000	58 Eiffel Place	091 800 0004 054 000 0000	933.81
24047600	25 Richland Street	107 480 0001 005 000 0000	930.58
49060100	447 Driving Park Ave	090 810 0003 018 000 0000	928.98
50045300	835 Flower City Park	090 480 0002 036 000 0000	918.57
53006200	420 Pullman Avenue	090 330 0002 022 000 0000	917.17
17031900	27 Peckham Street	091 640 0002 061 000 0000	866.27
31005500	246 Breck St	107 780 0001 012 000 0000	853.02
09063300	157 Dr. Samuel McCree Way	120 600 0001 004 000 0000	846.08
52095400	118 Avis Street	090 420 0002 033 000 0000	833.39
02023700	38 Jefferson Av	120 360 0001 083 000 0000	831.69
44034300	447 Wilder St	120 250 0003 044 000 0000	821.56
43014800	139 Depew Street	120 470 0002 067 000 0000	789.61
50095700	575 Augustine Street	090 640 0001 034 000 0000	778.04
39040800	33 Ernestine Street	135 320 0001 023 000 0000	767.69
47125500	1338D Emerson Street	105 370 0001 031 000 0000	765.99
46105300	343 Murray St	105 570 0003 022 000 0000	757.05
25062900	791 Bay Street	107 460 0001 002 000 0000	755.21

41018400	20 Aldine St	120 660 0003 044 000 0000	739.75
47018900	23 Rogers Avenue	105 560 0002 023 000 0000	731.59
03101100	38 Concord Street	106 490 0002 035 000 0000	726.85
50079200	398 Magee Avenue	090 570 0001 045 000 0000	719.05
46004500	189 Whitney St	105 820 0001 053 000 0000	715.61
42011100	49 Wilton Terrace	120 640 0002 053 000 0000	701.95
18011100	172 Alphonse St	106 330 0001 011 000 0000	688.37
33063100	758 Harvard Strret	122 540 0001 046 000 0000	665.69
40079900	49 Roslyn Street	120 820 0003 018 000 0000	644.00
17077600	279 Berlin St	106 250 0001 006 000 0000	642.51
52060500	293 Clay Avenue	090 500 0003 009 000 0000	639.03
22093300	34 Greenlane Drive	107 230 0001 042 000 0000	625.66
50037900	700 Flower Street	090 490 0001 007 000 0000	618.55
51107300	181 Pierpont Street	090 740 0002 012 000 0000	613.06
53001000	371 Pullman Avenue	090 420 0001 002 000 0000	595.91
39042200	606 Brooks Avenue	135 320 0001 020 000 0000	580.80
47017700	15 Lois Street	105 650 0001 009 000 0000	565.89
52110000	226 Avis Street	090 410 0001 028 000 0000	518.10
51049300	387 Lake View Park	090 810 0001 018 000 0000	492.07
21058100	86 Nichols Street	106 280 0002 030 000 0000	463.86
Account #	Address	SBL	Water Charges Removed
53011600	296 Steko Avenue	090 320 0001 048 000 0000	448.26
20001700	64 Delamaine Drive	091 750 0002 050 000 0000	376.11
25100800	315 Parsells Avenue	107 620 0001 017 000 0000	340.05
50080600	354 Magee Avenue	090 570 0001 037 000 0000	283.42
51004100	327 Birr Street	090 730 0001 034 000 0000	275.26
48029000	396 McNaughton Street	105 400 0001 058 000 0000	261.13
19035600	229 Ernst Street	091 740 0004 067 000 0000	250.41
51023400	410 Lake View Park	090 730 0003 069 000 0000	219.57
53021100	269 Rand Street	090 320 0001 027 000 0000	215.89
41022700	385 Arnett Boulevard	120 650 0003 016 000 0000	176.63
13080600	191 Fulton Avenue	105 350 0004 040 000 0000	120.70
46091200	36 Orlando Street	105 570 0004 015 000 0000	79.73

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-285
Re: Amendatory Agreement – CypherWorx, Inc. Online Employee Training

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with CypherWorx, Inc. (Paul Cypher, Chief Executive Officer), for additional compensation needed to expand the City’s use of their online training

platform to include select mandatory in-service compliance and professional development training for the Rochester Fire Department. The original agreement, authorized in March 2019 (Ordinance No. 2019-47), established maximum compensation of \$83,891 for a term of three years. This amendment will increase compensation by \$24,900 for a maximum of \$108,791. The additional cost will be funded from the 2020-21 (\$12,450) and 2021-22 (\$12,450) Budgets of the Fire Department, contingent upon approval.

CypherWorx, Inc. currently provides online training programs for City employees on the topics of Sexual Harassment, Workplace Harassment, and Workplace Violence and will soon be providing Diversity/Inclusion training. The additional compensation for this agreement will allow the Rochester Fire Department to participate in additional online training and provide select topics in Emergency Medical Services (EMS), Professional Development and New York State mandated and specialty area in-service training. This online training platform also provides for the tracking, recording, and documenting of the trainings, and provides progress and verification reports to supervisors regarding their employees' completion of the trainings.

The above referenced trainings for uniformed members of the Rochester Fire Department is currently provided by Ninth Brain, Inc. whose contract with the City to provide these trainings expires on October 31, 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-285
(Int. No. 327)

Authorizing an amendatory agreement with CypherWorx, Inc. for online employee training

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 CypherWorx, Inc. to provide an online training platform for City employees. The agreement shall amend the agreement authorized in Ordinance No. 2019-47 to increase the maximum compensation by \$24,900 to a new total of \$108,791. The amendatory compensation shall be funded in the amounts of \$12,450 from the 2020-21 Budget of the Fire Department and \$12,450 from the 2021-22 Budget of the Fire Department, contingent upon approval of the latter budget.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-286
Re: Agreement – Expert Witness Services

Council Priority: Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing a professional services agreement with Crash Data Specialists LLC (CDS) and its principal, Jon Northrup (resident of Webster, New York), to provide expert accident reconstruction services in support of the City's defense of personal injury suits. The agreement will allow the Law Department to engage CDS's expert services for any litigation during its first five years, and the term of the agreement shall extend until the conclusion of any litigation for which the expert's services are so engaged.

The Law Department has worked with CDS since 2015, during which time Mr. Northrup has reconstructed accident scenes, obtained "black box" information from accident vehicles, and provided reports, affidavits and testimony in support of the City. The Law Department most recently entered into a PSA with CDS in January 2019, as authorized in Ordinance Nos. 2018-353 and 2020-210, pursuant to which Mr. Northrup is continuing to provide consulting services on two pending litigations.

On July 13, 2020, the Law Department issued a request for proposals (RFP) for expert accident reconstruction services to assist with additional personal injury suits going forward. CDS was the sole respondent to the RFP. CDS proposes to

continue to offer the quality accident reconstruction services that it has provided to the City for the past five years, at the same reasonable rate of \$150 per hour. That rate may be increased in future years at the City's discretion if CDS provides a satisfactory justification for doing so.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-286
(Int. No. 345)

Authorizing an agreement for expert witness services for the Law Department

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Crash Data Specialists LLC (CDS) to provide expert witness services in conjunction with pending and future litigation. The agreement shall allow the Law Department to engage CDS's services for any litigation during the first five years of its term and the term of the agreement thereafter shall continue until the conclusion of any litigation for which CDS's services are so engaged. The maximum compensation rate shall be \$150 per hour provided, however, that the rate may be adjusted at the discretion of the City upon satisfactory justification by CDS. The agreement shall be funded by the current or future years' Budgets of the Law Department for the fiscal year in which the fee for service is incurred, contingent upon the approval of the future budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson
September 15, 2020

To the Council:

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

- Int. No. 328 Authorizing the sale of real estate
- Int. No. 329 Authorizing amendatory agreements for the Northeast Quadrant Historic Resources Survey
- Int. No. 333 Authorizing funding and an agreement for the Zoning Code and Map Update
- Int. No. 334 Authorizing the sale of City-owned parcels and a payment in lieu of taxes agreement for the L2P Westside Housing Project
- Int. No. 335 Authorizing sale of City-owned parcels and payment in lieu of taxes and loan agreement for the Pueblo Nuevo II project
- Int. No. 336 Authorizing sale of City-owned parcels and loan and payment in lieu of taxes and loan agreements for the Zion Hill Senior Apartments project
- Int. No. 337 Authorizing an agreement for a BuildingBlocks software license

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

- Int. No. 330 Amending the Zoning Map by changing the zoning classification of properties on Federal Street
- Int. No. 331 Amending the Zoning Map by changing the zoning classification of properties on Culver Road
- Int. No. 332 Amending the Zoning Map by changing the zoning classification of properties on Sherer Street and on Craig Street

Respectfully submitted,
Michael A. Patterson
Mary Lupien
Willie J. Lightfoot
Loretta C. Scott

NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed, and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-287
Re: Sale of Real Estate

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation approving the sale of a portion of one property. The newly created site will be approximately 80'x 90'. City records have been checked to ensure that the purchaser (except those buying unbuildable vacant lots) does not own other properties with code violations or delinquent taxes (unless noted), and have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

The property is a vacant lot and is listed on the attached spreadsheet under the heading, I. Request for Proposal. It will be sold to Ahmad Fazily (70 Holworthy Street, Rochester, NY), for the construction of a bakery. The proposed building will be approximately 1,353 SF with parking for 3 vehicles. The business will provide products to other business with no portion of the operation for general retail.

The first year projected tax revenue for the property, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$860.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-166

Ordinance No. 2020-287
(Int. No. 328)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale with proposal of the following vacant parcel of land:

Address	SBL#	Lot Size	Price	Purchaser
South Portion 60 Holworthy St	105.72-1-87.4	80 x 90	\$1,800	Ahmad Fazily

comprised of all that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being the southerly 90.0 feet of Lots 18 & 19, Section 'C' of the Pool Farm Subdivision, as filed in the Monroe County Clerk's Office in Liber 3 of Maps, Page 123. The southerly portion of said Lots 18 & 19 together front 80.0 feet on the northerly side of Holworthy Street and are 90.0 feet in depth.

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-288
Re: Amendatory Agreements –Northeast Quadrant Historic Resources Survey

Council Priorities: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to existing agreements for the Northeast Quadrant Historic Resources Survey. This legislation will:

- 1) Authorize an amendatory agreement with the New York State Department of Parks Recreation and Historic Preservation, State Historic Preservation Office (SHPO). The existing grant agreement was authorized by Ordinance No. 2019-305 and authorized the receipt and use of a \$23,600 grant to fund a historic resource survey of properties in the City's Northeast Quadrant and of properties in a portion of the Northwest Quadrant. The amendment will extend the term of the existing agreement by six months, from September 30th, 2020, to March 31, 2021. All other terms will remain the same.
- 2) Authorize an amendatory agreement with The Landmark Society of Western New York, Inc. (Wayne Goodman, Executive Director) located at 5 Castle Park, Rochester, NY. The existing \$38,600 agreement was authorized by Ordinance No. 2019-305 and provides services to the City necessary to implement the grant project including grant management, soliciting and hiring consultants, and coordinating findings with the SHPO. The agreement was funded by the SHPO grant funds and \$15,000 from the 2019-20 Budget of the Department of Neighborhood and Business Development. The amendment will extend the term of the existing agreement by six months, from September 30th, 2020, to March 31, 2021. All other terms will remain the same.

The six month extension is required to conduct the bulk of the data collection required to record potential historic properties. The COVID-19 Health Crisis has made it difficult to complete the survey work within the original one year timeframe. The SHPO has already approved the six month extension of their agreement to coincide with the new expiration date of March 31, 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-288
(Int. No. 329)

Authorizing amendatory agreements for the Northeast Quadrant Historic Resources Survey

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 Historic Preservation Office (SHPO) to fund the Northeast Quadrant Historic Resources Survey (the Project). The amendatory agreement shall extend through March 31, 2021 the term of the original agreement authorized in Ordinance No. 2019-305.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with The Landmark Society of Western New York, Inc. to conduct the Project. The amendatory agreement shall extend through March 31, 2021 the term of the original agreement authorized in Ordinance No. 2019-305.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-289
Re: Zoning Map Amendment –17-19, 25, 29, 35, 37-39, 45-47, 51, and 55-99 Federal Street

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties located at 17-19, 25, 29, 35, 37-39, 45-47, 51, and 55-99 Federal Street from R-1 Low Density Residential to R-2 Medium Density Residential.

This rezoning will facilitate a Rochester Housing Authority (RHA) redevelopment project. RHA proposes to demolish the eight (8) two-family dwellings (16 units total) at 55-99 Federal Street and to construct: one (1) accessible single-family dwelling with a detached garage and two (2) multifamily dwellings in its place. When completed, the multifamily dwellings will offer a total of 17 units (five (5) of which would be ADA accessible). Notification of the rezoning was provided to the surrounding property owners.

The City Planning Commission held an informational meeting on August 10, 2020. The applicant, their representatives, and two members of the public spoke in support of the project. No one spoke in opposition. In addition, there were five (5) written comments received in support of the project, and there were four (4) written comments received in opposition. By a vote of 6-0-0, the City Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-167

Ordinance No. 2020-289
(Int. No. 330)

Amending the Zoning Map by changing the zoning classification of properties on Federal Street

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning map classification of the following properties from R-1 Low Density Residential to R-2 Medium Density Residential:

Address	SBL #
17-19 Federal Street	107.70-1-92
25 Federal Street	107.70-1-93
29 Federal Street	107.70-1-94
35 Federal Street	107.70-1-95
37-39 Federal Street	107.70-1-96
45-47 Federal Street	107.70-1-97
51 Federal Street	107.70-1-98
55-99 Federal Street	107.70-1-1

as well as the area extending from each parcel to the center line of any adjoining street, alley, and right-of-way.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-290
Re: Zoning Map Amendment – 663-665, 667-669, 671-673, 679, 695-697, 701-703, and 705-715 Culver Road

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 amending the Zoning Map of the City of Rochester by rezoning the properties located at 663-665, 667-669, 671-673, 679, 695-697, 701-703, and 705-715 Culver Road from R-2 Medium Density Residential to C-2 Community Center.

This rezoning will facilitate the Park Place Automotive redevelopment project. This redevelopment project consists of the expansion and legalization of the vehicle repair operation at 671-673, 679, and a 0.18 acre portion of 695-697 Culver Road. Notification of the rezoning was provided to the surrounding property owners.

The City Planning Commission held an informational meeting on August 10, 2020. The applicant and their representative spoke in support of the project. No one spoke in opposition. In addition, there were three (3) written comments received in support of the project and there were no written comments received in opposition. By a vote of 7-0-0, the City Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-168

Ordinance No. 2020-290
(Int. No. 331)

Amending the Zoning Map by changing the zoning classification of properties on Culver Road

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning map classification of the following properties from R-2 Medium Density Residential to C-2 Community Center District:

Address	SBL #
663-665 Culver Road	122.22-1-32
667-669 Culver Road	122.22-1-31
671-673 Culver Road	122.22-1-30
679 Culver Road	107.78-2-21
695-697 Culver Road	107.78-2-18.001
701-703 Culver Road	107.78-2-17
705-715 Culver Road	107.78-2-16.001

as well as the area extending from each parcel to the center line of any adjoining street, alley, and right-of-way.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-291
Re: Zoning Map Amendment – 15, 19, 23, 41, and 45 Sherer Street, 68, 74, 78, 84, 88, and 106 Craig Street

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: The Placemaking Plan

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties located at 15, 19, 23, 41, and 45 Sherer Street, 68, 74, 78, 84, 88, and 106 Craig Street from R-1 Low Density Residential to M-1 Industrial.

This rezoning is at the request of a property owner who would like for the zoning map to align with the existing land uses thus making it conducive to the market and operation of the subject properties. The subject properties are identified in the Industrial Character Area of Rochester 2034’s Placemaking Plan. This proposed M-1 district will connect to the existing M-1 district to the north, east, and west of the subject properties. Notification of the rezoning was provided to the surrounding property owners.

The City Planning Commission held an informational meeting on August 10, 2020. The applicant spoke in support of the project and one (1) written comment was received in opposition. By a vote of 7-0-0, the City Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-169

Ordinance No. 2020-291
(Int. No. 332)

Amending the Zoning Map by changing the zoning classification of properties on Sherer Street and on Craig Street

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning map classification of the following properties from R-1 Low Density Residential to M-1 Industrial:

Address	SBL #
15 Sherer Street	120.32-1-31
19 Sherer Street	120.32-1-30
23 Sherer Street	120.32-1-29
41 Sherer Street	120.32-1-28
45 Sherer Street	120.32-1-27
68 Craig Street	120.32-1-13
74 Craig Street	120.32-1-12
78 Craig Street	120.32-1-11
84 Craig Street	120.32-1-10
88 Craig Street	120.32-1-9.001
106 Craig Street	120.32-1-32

as well as the area extending from each parcel to the center line of any adjoining street, alley, and right-of-way.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-292
Re: Agreement- Camiros, LTD., Zoning Code and Map Update Services

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

Transmitted herewith for your approval is legislation authorizing a professional services agreement and funding for the City to update the City’s Zoning Code, Zoning Map, and Subdivision Code to reflect the Vision, Guiding Principles, and The Placemaking Plan of *Rochester 2034*, the City’s recently adopted Comprehensive Plan (the Project). The legislation will:

1. Appropriate \$50,000 in Community Development Block Grant (CDBG) funds from the Consolidated Community Development Plan/2017-18 Annual Action Plan’s Planning and Studies allocation.
2. Authorizing the receipt and use of a \$50,000 grant from the Rochester Economic Development Corporation (REDCO) to fund the Project Agreement. A grant in this amount was provided to REDCO from the ESL Foundation for this purpose.
3. Establish \$150,000 as maximum compensation for an agreement with Camiros, LTD. (Bill James, Principal, 411 S Wells Street, Suite 400 Chicago, IL) to assist City staff with the Project. The cost of the agreement will be funded by up to \$50,000 from the 2020-21 Budget of the Department of Neighborhood and Business Development (NBD) and the monies appropriated herein. The term of the agreement shall extend to the City Council’s adoption of legislation that updates the Zoning Code, Zoning Map, and Subdivision Code to reflect the vision, principles and plan of Rochester 2034.

The Project deliverable will be proposed legislation amending the Zoning Code, Zoning Map and the Subdivision Code that is presented to City Council after prior public review, including an information meeting, review and recommendations provided by the City Planning Commission. Public engagement to inform the Zoning Code and Map Update will be facilitated through the City Planning Commission public meetings. Additional expenses that may arise related to public engagement and notification will be the responsibility of the City and will be paid for directly from the 2020-21 Budget of the Department of Neighborhood and Business Development (NBD).

The City issued an RFP on May 11, 2020. The selection committee included City staff from the Department of Environmental Services, NBD, the Mayor’s Office, and the Law Department. The committee interviewed the consultants who submitted the top three scoring proposals. Camiros, LTD of Chicago, Illinois was chosen based on the interview as well as on proposal quality, relevant experience and references.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-170

Ordinance No. 2020-292
(Int. No. 333)

Authorizing funding and an agreement for the Zoning Code and Map Update

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

Section 1. The Council hereby appropriates \$50,000 in Community Development Block Grant funds from the Planning and Studies project allocation of the Consolidated Community Development Plan/2017-18 Annual Action Plan, as approved in Ordinance No. 2017-206 and amended in Ordinance No. 2019-300, to fund an update of the City's Zoning Code, Zoning Map, and Subdivision Code to reflect the Vision, Guiding Principles, and Placemaking Plan of the *Rochester 2034* Comprehensive Plan (the Project).

Section 2. The Council hereby authorizes the receipt and use of a grant of \$50,000 from the Rochester Economic Development Corporation to fund the Project. The Mayor is hereby authorized to execute any agreement or other document as may be necessary to effectuate the receipt and use of the Project funding authorized herein.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Camiros, Ltd. in the maximum amount of \$150,000 to assist City staff with the Project. The agreement shall be funded by the appropriations for the Project authorized in Section 1 and 2 herein and in the amount of \$50,000 from the 2020-21 Budget of the Department of Neighborhood and Business Development. The term of the agreement shall extend to the City Council's adoption of legislation that implements the Project.

Section 4. The agreement shall contain such other terms and conditions as the Mayor deems appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-293
Re: L2P Westside Housing Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Rochester 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the L2P Westside ("Lease to Purchase") new construction, low-income housing project consisting of multiple sites located in the Southwest quadrant being undertaken by the Urban League of Rochester Economic Development Corporation (ULREDC) (Carolyn Vitale, Vice-President and COO), 312 State Street, Rochester, NY.

This legislation will:

1. Authorize the sale of 39 parcels of City-owned land for their appraised values, a total of \$18,175, to ULREDC or an affiliated partnership or housing development fund corporation to be formed by the ULREDC.
2. Authorize property tax exemptions and payment-in-lieu of taxes agreements for the L2P Westside project, which will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs).
3. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreements authorized herein.

The L2P Westside project involves construction of 41 rental units on scattered sites in the Southwest quadrant; two of the listed 39 sites will be subdivided. All 41 units will be targeted to households with income at or below 60% of the Median Family Income for the Greater Rochester Median Statistical Area (per HUD, chart attached). There will be three styles of

homes: seven (7) 2-bedroom single-story houses that are fully handicap accessible; and two different styles of two-story 3-bedroom houses with basements and visitability. Two (2) of the 3-bedroom units will be equipped for persons with hearing or visual impairments.

All sites will complement significant development and investment that has occurred in the Southwest quadrant of the City in the past decade. Sites are located near the previous Southwest Quadrant Focused Investment Strategy area, the Jefferson Wollensak Affordable Rental Housing project nearing completion in 2020, and the Zion Hill Affordable Housing project which is anticipated to begin construction in late 2020 or early 2021. In addition, the sites are close to some neighborhood schools undergoing modernization and improvements.

The L2P Westside communities will maintain all units as income qualified affordable units for the duration of their PILOT. However, the goal is to rent the properties for the first 15 years, then sell each one to its current resident, regardless of length of tenancy, at a price designed to result in a mortgage payment at or below 30% of the household's gross monthly income. Beginning in Year 11, the management team will work with existing tenants to prepare them for successful homeownership. This project is the first of its kind in Rochester, and is modeled after a successful program in Cleveland overseen by CHN (Cleveland Housing Network). In 2016 CHN transferred title to their 1,000th owner occupant household. CHN is providing consulting support to ULREDC on this project. The project was awarded funding through New York State Homes and Community Renewal's competitive application for 9% low-income housing tax credits (LIHTC). Other sources of funding include State Tax Credits (SLIHC), New York State Energy Research and Development Authority (NYSERDA) as well as deferred developer fees and expenses. The project is awaiting a funding decision from the Federal Home Loan Bank of NY (FHLB NY).

The sources and uses for the project are summarized below:

Uses		Permanent Sources	
Land Acquisition	\$18,560*	9% LIHTC (Federal Tax Credit Equity through NYS)	\$7,553,495
Soft Costs and Contingency	\$1,803,255	SLIHC (State Tax Credit) Equity	\$3,534,142
Hard Costs	\$9,478,573	Conventional Loan	\$700,000
Development Fee	\$1,250,000	FHLB NY	\$880,000
Reserves and Working Capital	\$189,044	Deferred Developer Fee	\$23,795
		NYSERDA Energy Grant	\$48,000
TOTAL	\$12,739,432	TOTAL	\$12,739,432

*includes recording fees

Workforce goals for the project are 6.9% women and 20% minorities and 25% City residents, along with a combined goal of 30% for MBE/WBE firms.

The PILOT Review Committee recommended approval of the PILOT on July 10, 2020.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-171

Ordinance No. 2020-293
 (Int. No. 334)

Authorizing the sale of City-owned parcels and a payment in lieu of taxes agreement for the L2P Westside Housing Project

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

Section 1. The Council hereby approves the sale of the following parcels of land at the following appraised values to the Urban League of Rochester Economic Development Corporation (ULREDC) to develop the L2P ("Lease to Purchase") Westside project comprised of a variety of new low-income rental units on scattered sites throughout the city's Southwest Quadrant that, after 15 years, may be purchased by their tenants by means of affordable mortgages (the Project):

Address	Parcel Number	Sales Price
392 Aberdeen St	120.72-2-19	\$ 425.00
202 Atkinson St	120.44-2-57	\$ 425.00
26 Bartlett St	121.6-1-30	\$ 425.00
120 Bartlett St	120.68-1-72	\$ 425.00
173 Bartlett St	120.67-3-10	\$ 425.00
177-179 Bartlett St	120.67-3-8.001	\$ 500.00
180-182 Bartlett St	120.67-2-75	\$ 450.00
Address (con'd)	Parcel Number (con'd)	Sales Price (con'd)
184-186 Bartlett St	120.67-2-74.001	\$ 450.00
28 Cady St	121.53-1-81.001	\$ 450.00
186 Cady St	120.59-1-52.001	\$ 600.00
96 Chili Ave	120.50-1-77	\$ 600.00
363 Columbia Ave	120.75-1-31	\$ 425.00
414 Columbia Ave	120.67-3-50	\$ 425.00
189 Cottage St	135.28-2-15	\$ 425.00
73 Dr. Samuel McCree Way	121.53-1-6	\$ 425.00
215 Dr. Samuel McCree Way	120.59-1-10.001	\$ 500.00
15 Elgin St	120.27-1-22.001	\$ 500.00
33 Elgin St	120.27-1-24.001	\$ 525.00
101 Frost Ave	121.61-1-16	\$ 450.00
107 Frost Ave	121.61-1-15	\$ 450.00
128 Frost Ave	121.53-3-36	\$ 475.00
134 Frost Ave	121.53-3-37	\$ 475.00
151-153 Frost Ave	121.61-1-6.001	\$ 500.00
278 Jefferson Ave	120.44-1-50.001	\$ 475.00
281 Jefferson Ave	120.51-2-14.001	\$ 450.00
180 Kenwood Ave	120.58-2-75	\$ 450.00
300 Kenwood Ave	120.66-1-59	\$ 450.00
189-193 Kirkland Rd	120.57-3-42.001	\$ 475.00
21 Milton St	120.81-1-77	\$ 475.00
227 Normandy Ave	120.65-1-40	\$ 475.00
140 Post Ave	120.64-3-7	\$ 450.00
49 - 51 Reynolds St	120.44-1-71.001	\$ 475.00
53 - 57 Reynolds St	120.44-1-72	\$ 475.00
219 Reynolds St	120.68-1-38.001	\$ 450.00
54 Seward St	121.53-1-42	\$ 475.00
109 Seward St	121.53-3-46	\$ 550.00
177 Sherwood Ave	120.64-3-21	\$ 425.00
315 Sherwood Ave	120.72-2-20	\$ 425.00
325 Troup St	120.44-1-21	\$ 450.00
	Total:	\$ 18,175.00

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT Agreement) with the ULREDC for the parcels listed in Section 1 in order to effectuate the Project. This PILOT Agreement shall provide that said parcels shall remain entitled to a real property tax exemption, provided that the ULREDC makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 4. The term of the PILOT Agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated for the purpose of providing affordable leased and then purchased housing in accordance with the conditions for maintaining low-income housing tax credits and financing as well as other legal requirements.

Section 5. The PILOT agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the sale and agreement authorized herein.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-294
Re: Pueblo Nuevo II Housing Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Pueblo Nuevo II, the second phase of the larger Pueblo Nuevo affordable rental community project, being undertaken by Ibero-American Development Corporation (IADC) 954 Clifford Avenue Rochester, NY 14621 (Eugenio Marlin, Executive Vice President). Pueblo Nuevo II will be constructed on in-fill sites located in close proximity to the La Marketa project and within the El Camino Neighborhood of Northeast Rochester. This legislation will:

1. Authorize the sale of 19 parcels of City-owned land at a total of \$10,425, their combined appraised values, to IADC or an affiliated partnership or housing development fund corporation to be formed by IADC.
2. Authorize a property tax exemption and payment-in-lieu of tax agreement for the Pueblo Nuevo II project, which will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs).
3. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein;

The Pueblo Nuevo is a two phase project with substantial community support that results in 104 units of affordable rental housing, and the creation of the El Camino Community Center. Pueblo Nuevo I was authorized by City Council Ordinance No. 2020-96 on April 15, 2020. Pueblo Nuevo I consists of 75 affordable rental apartments. The necessary purchase of properties and funding source closings were completed in July 2020 and construction for the project has begun.

Pueblo Nuevo II will create 29 units of affordable rental housing on multiple underutilized sites, primarily located in close proximity to the La Marketa at the International Plaza site. This phase of the project will deliver five single family homes and 12 duplexes, all two-bedroom units, as well as the El Camino Community Center (ECCC) which will include a community, business and education center.

All units of Pueblo Nuevo II will be targeted to households with income at or below 50% of the Median Family Income (MFI) for the Greater Rochester Median Statistical Area (per HUD, chart attached). Five (5) of these units will be targeted specifically for households with an income at or below 30% of MFI, and five additional units benefit from Project Based Section-8 Vouchers from the Rochester Housing Authority. The project includes three (3) ADA (American Disability Act) accessible apartments, and two (2) apartments adapted for the audio/visually impaired.

The sources and uses for the project are summarized below:

<u>Uses</u>		<u>Permanent Sources</u>	
Acquisition Land/Buildings*	\$60,700	Low Income Housing Tax Credit	\$8,774,804
Soft Costs and Working Capital	\$2,007,400	NYS Community Investment Fund Loan	\$1,793,805
Hard Costs	\$9,235,432	NYS Housing Trust Fund	\$1,663,291
Contingency	\$537,837	NYS Subsidy Loan	\$640,000
Development Fee	\$1,077,266	Deferred Developer Fee	\$137,859
Reserves	\$127,124	NYSERDA Capital	\$36,000
TOTAL	\$13,045,759	TOTAL	\$13,045,759

*Acquisition costs include, but are not limited to, real estate sold by the City of Rochester.

Pueblo Nuevo II is anticipated to close on project funding and begin construction in November 2020. Workforce goals for the project are 6.9% women and 20% minorities and 25% City residents, along with a combined goal of 30% for MBE/WBE firms.

The PILOT was recommended for approval by the PILOT Review Committee on April 3, 2018. SEQR review has been completed, and a Negative Declaration was issued for the project on December 12, 2017

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-172

Ordinance No. 2020-294
 (Int. No. 335)

Authorizing sale of City-owned parcels and payment in lieu of taxes and loan agreement for the Pueblo Nuevo II project

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

Section 1. The Council hereby approves the sale of the following parcels of land at the following appraised values to Ibero-American Development Corporation (IADC) to develop the Phase II of the Pueblo Nuevo Affordable Rental Housing Project (the Project):

STREET ADDRESS	SBL NUMBER	SIZE	PRICE
54 SULLIVAN STREET	106.31-4-42.002	175 x 82.98	\$1,400.00
62 SULLIVAN STREET	106.31-4-38	35 x 82.98	\$350.00
30 SULLIVAN STREET	106.31-4-54	34 x 94.16	\$350.00
32 SULLIVAN STREET	106.31-4-53.001	68 x 93.2	\$350.00
38 SULLIVAN STREET	106.31-4-50.001	68 x 93.2	\$475.00

42 SULLIVAN STREET	106.31-4-48.1	68.43 x 92.23	\$350.00
24 SULLIVAN STREET	106.31-4-57	34 x 96.1	\$350.00
26 SULLIVAN STREET	106.31-4-56	34 x 95.61	\$350.00
37 SULLIVAN STREET	106.39-1-18.002	51.86 x 99	\$550.00
51 HOELTZER STREET	106.39-2-23.002	50 x 99	\$475.00
55 HOELTZER STREET	106.39-2-26	40 x 99	\$400.00
27 HOELTZER STREET	106.39-2-13	37.5 x 82.5	\$350.00
29 HOELTZER STREET	106.39-2-14	37.75 x 82.5	\$350.00
21 HOELTZER STREET	106.39-2-10.001	75 x 82.5	\$475.00
6 KAPPEL PLACE	106.38-2-17.001	70 x 74.5	\$450.00
18 KAPPEL PLACE	106.38-2-23	35 x 78.25	\$350.00
24 KAPPEL PLACE	106.38-2-25.001	105 x 79	\$450.00
781 NORTH CLINTON AVENUE	106.38-2-40	40.85 x 130.21	\$2,600.00
Total Sale Price			\$10,425.00

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement with IADC for the following parcels to effectuate the Project:

STREET ADDRESS	SBL NUMBER
54 SULLIVAN STREET	106.31-4-42.002
62 SULLIVAN STREET	106.31-4-38
30 SULLIVAN STREET	106.31-4-54
32 SULLIVAN STREET	106.31-4-53.001
38 SULLIVAN STREET	106.31-4-50.001
42 SULLIVAN STREET	106.31-4-48.1
24 SULLIVAN STREET	106.31-4-57
26 SULLIVAN STREET	106.31-4-56
37 SULLIVAN STREET	106.39-1-18.002
51 HOELTZER STREET	106.39-2-23.002
55 HOELTZER STREET	106.39-2-26
27 HOELTZER STREET	106.39-2-13
29 HOELTZER STREET	106.39-2-14
21 HOELTZER STREET	106.39-2-10.001
6 KAPPEL PLACE	106.38-2-17.001
18 KAPPEL PLACE	106.38-2-23
24 KAPPEL PLACE	106.38-2-25.001
781 NORTH CLINTON AVENUE	106.38-2-40
200 CLIFFORD AVENUE	106.29-2-2.002
208-214 CLIFFORD AVENUE	106.29-2.22

This PILOT Agreement shall provide that said parcels shall remain entitled to a real property tax exemption, provided that IADC makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 4. The term of the PILOT Agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated for the

purpose of providing affordable rental housing in accordance with the conditions for maintaining low-income housing tax credits and financing as well as other legal requirements.

Section 5. The PILOT agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the sale and agreement authorized herein.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-295

Re: Zion Hill Senior Apartments Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Zion Hill Senior Apartments, an affordable rental community project for seniors aged fifty-five and older. The project is being undertaken by Southwest Area Development Corporation (SWADCO) (Reverend Dr. Richard Douglass, Principal), a community development corporation affiliated with the Zion Hill Missionary Baptist Church, 250 Dr. Samuel McCree Way, Rochester, NY, and Rochester Management, Inc. (RMI) (Margaret Hill, President & CEO), 249 Norton Village Lane, Rochester NY. Zion Hill Senior Apartments will be located at 260 -278 Dr. Samuel McCree Way and 69-71 Wooden Street in the Changing of the Scenes (COTS) Neighborhood in Southwest Rochester.

This legislation will:

1. Authorize the sale of two parcels of City-owned land, at 272 Dr. Samuel McCree Way and 276 Dr. Samuel McCree Way at a total of \$875, their combined appraised values, to SWADCO and RMI, or an affiliated partnership or housing development fund corporation to be formed by SWADCO and RMI.
2. Authorize a \$500,000 HOME funded construction/permanent loan agreement for the project, and appropriate the same amount from the Consolidated Plan/2020-21 Annual Action Plan, Affordable Housing Fund allocation to fund the loan.

The loan will serve initially as a 0% construction loan, payable annually. At conversion to permanent financing it will become a 30 year, 2% interest-only, cash flow dependent loan payable annually, with the outstanding principal balance and any accrued interest due at the end of the 30 year term.

3. Authorize a property tax exemption and payment-in-lieu of taxes agreement for the Zion Hill Senior Apartments project, which will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs).
4. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein; and
5. Authorize the Mayor to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

The Zion Hill Senior Apartments (Zion Hill) project, a Faith Based Initiative, was initially envisioned by the Zion Hill Missionary Baptist Church and its affiliate SWADCO, in response to a community need for additional affordable rental housing for seniors. This project will serve residents facing mobility or other challenges to remaining in their home community as they age. In the city of Rochester typical residential buildings and architectural styles, the majority of which were constructed prior to 1940, include two to three stories of living space. Such buildings include stairs to entryways, between floors and to cellars, with bathroom facilities on the second level. Aging populations that, over time, cannot comfortably or safely continue to navigate in their homes will benefit from features included in the apartment building proposed for Zion Hill.

The project includes the creation of 45 new rental units intended for very low-income and extremely-low income senior households, with all of the units targeted to households with incomes at or below 50% of the Median Family Income (MFI). Zion Hill includes 11 units targeted to households with incomes at or below 30% of MFI; eight (8) units that will benefit from

Project Based Vouchers from Rochester Housing authority, and 26 units targeted to households with incomes of up to 50% MFI. Seven (7) units will be set aside for frail/elderly households, with RMI providing supportive services to help them maintain independence within their community, in coordination with Rochester Regional Health.

The development includes the construction of a two- and three-story, 46,981 square foot, L-shaped building with 43 one-bedroom and 2 two-bedroom apartments. Also included will be building management and resident support offices, mechanical space, laundry and trash areas, and community amenity spaces and roof top patio with planters, along with an 11 space surface parking lot at the rear of the site accessed from Wooden Place.

The wood framed building includes one elevator and multiple stairs for vertical circulation and emergency egress. Additional project amenities include a community room with kitchen, fitness room, and in-unit tenant bulk storage. The owner will provide heat and hot water, and the tenants will pay for electric.

The project includes five (5) ADA (American Disability Act) accessible apartments, and two (2) apartments adapted for the audio/visually impaired. The remainder of the apartment units are adaptable, with a mix of bathtub/shower combination units and roll-in showers and accessible maneuvering clearances throughout the apartment. As a project for senior residents, Zion Hill will include carpeting and handrails in primary corridors to reduce risk of falls and will include the installation of grab bars in all apartment units. The project will also include an emergency aid (nurse call) communication system in each apartment.

Zion Hill will complement significant development and investment in southwest Rochester, including the former Southwest Quadrant Focused Investment Strategy Area, the Jefferson Wollensak Affordable Rental Housing Project nearing construction completion, and the L2P Westside Affordable Housing Project, and the Bull's Head Revitalization Project.

This \$13.4 million project will utilize the following funding sources: Low Income Housing Tax Credits, New York State Housing Trust Fund, Federal Housing Trust Fund, New York Energy Research and Development Authority (NYSERDA), City of Rochester HOME funds, deferred developer fee and limited partner equity through Low Income Housing Tax Credits (LIHTC).

The sources and uses for the project are summarized below:

Uses		Permanent Sources	
Land Acquisition*	\$63,395	LIHTC	\$8,544,207
Soft Costs	\$1,386,350	NYS Housing Trust Fund	\$2,400,000
Hard Costs	\$10,075,175	Fed. Housing Trust Fund	\$1,100,000
Contingency	\$503,759	City of Rochester	\$500,000
Development Fee	\$1,200,000	Deferred Developer Fee	\$810,237
Reserves	\$130,765	NYSERDA Capital	\$45,000
Working Capital	\$40,000		
TOTAL	\$13,399,444	TOTAL	\$13,399,444

*Acquisition costs include, but are not limited to, real estate sold by the City of Rochester.

Zion Hill is anticipated to close on project funding and begin construction in October 2020. Workforce goals for the project are 6.9% women and 20% minorities and 25% City residents, along with a combined goal of 30% for MBE/WBE firms.

The loan was approved by the Loan Review Committee at their meeting on August 19, 2020, and the PILOT was recommended for approval by the PILOT Review Committee on August 6, 2020. A National Environmental Policy Act or NEPA review is underway and will be completed prior to entering into any agreements for the Zion Hill project. SEQR review has been completed, and a Negative Declaration was issued for the project on October 3, 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-173

Ordinance No. 2020-295
(Int. No. 336)

Authorizing sale of City-owned parcels and loan and payment in lieu of taxes and loan agreements for the Zion Hill Senior Apartments project

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

Section 1. The Council hereby approves the sale of the following parcels of land at the following appraised values to Southwest Area Development Corporation (SWADCO) and Rochester Management, Inc. (RMI), or to an affiliated partnership or housing development fund corporation formed for the Project by SWADCO and RMI (collectively, the Developer) to establish and maintain the Zion Hill Senior Apartments affordable rental housing project for seniors aged 55 and older (the Project):

STREET ADDRESS	SBL NUMBER	SIZE	PRICE
272 DR. SAMUEL MCCREE WAY	120.50-2-29	50' x 116'	\$ 450
276 DR. SAMUEL MCCREE WAY	120.50-2-30	40' x 116'	\$ 425
Total of Sales Prices			\$ 875

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. The Mayor is hereby authorized to enter into a loan agreement with the Developer for construction and permanent financing of the Project. The loan shall be in the amount of \$500,000, which shall be funded by, and is hereby appropriated from, the Affordable Housing Fund of the 2020-21 Annual Action Plan for the loan principal. The loan agreement shall have a term that extends to 30 years following completion of Project construction. The loan shall function as a 0% construction loan until construction is complete, whereupon it shall convert to permanent financing with a term of 30 years that is subject to an annual interest rate of 2%. The payment of interest shall be due annually if the Developer has sufficient cash flow and repayment of the loan principal and any unpaid interest shall come due at the end of the loan term. The Mayor is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to requirements for Project tax credits and other legal requirements.

Section 4. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement with the Developer for the parcels listed in Section 1 to effectuate the Project:

STREET ADDRESS	SBL NO.
69-71 WOODEN STREET	120.50-2-23
260-266 DR SAMUEL MCCREE WAY	120.50-2-26.001
270 DR SAMUEL MCCREE WAY	120.50-2-24
272 DR. SAMUEL MCCREE WAY	120.50-2-29
276 DR. SAMUEL MCCREE WAY	120.50-2-30
278 DR. SAMUEL MCCREE WAY	120.50-2-31

This PILOT Agreement shall provide that said parcels shall remain entitled to a real property tax exemption, provided that the Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 5. The term of the PILOT Agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated for the purpose of providing affordable rental housing in accordance with the conditions for maintaining low-income housing tax credits and financing as well as other legal requirements.

Section 6. The PILOT agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the sale and agreements authorized herein.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-296
 Re: Agreement- Opportunity Space, Inc., BuildingBlocks Software License

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

Transmitted herewith for your approval is legislation authorizing \$50,000 as maximum compensation for an agreement with OpportunitySpace, Inc. (d.b.a. Tolemi, Principal: Andrew Kieve, 76 Summer St, 3rd Floor Boston, MA). The agreement will provide the City with a global software license for continued public access to the Tolemi BuildingBlocks online property data mapping platform. The license also includes ongoing customization and technical support. The agreement will be funded from the \$900,000 Phase III Cities RISE Grant which was accepted via Ordinance No. 2020-33 from Enterprise Community Partners and funded by the NYS Office of the Attorney General. The term of the agreement will be 17 months.

BuildingBlocks is an online interactive mapping platform that provides the general public self-service access to a number of datasets provided by the City and other sources. The platform includes tax parcel information, crime data, census data, code enforcement data, and more. The platform allows users to explore and filter by various features to find properties and locations of interest. Users can do analysis within the platform, create custom maps, and export raw data for further analysis. The system is integrated with the City's enterprise GIS systems and receives nightly updated data. BuildingBlocks can be accessed here: <https://www.cityofrochester.gov/buildingblocks/>

Access to BuildingBlocks has been provided free of charge to the City of Rochester and general public since 2017 as part of the City's receipt of the Cities RISE Phase I and II grants, authorized in Ordinance No. 2017-225 and No. 2018-389. The free access to the platform expires at the end of October, 2020, but the Department of Neighborhood and Business Development is proposing to extend it due to the value BuildingBlocks provides to the community and City staff. Enterprise has approved the use of the Cities RISE grant funds for the software licensing contract.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-174

Ordinance No. 2020-296
 (Int. No. 337)

Authorizing an agreement for a BuildingBlocks software license

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 OpportunitySpace, Inc. to obtain a global software license to allow public access to the Tolemi BuildingBlocks online property data mapping platform. The maximum compensation for the agreement shall be \$50,000, which shall be funded by up to \$50,000 from 2019-20 Cash Capital, which was appropriated for a Land Management System and upgrades to the City's Building Information System in Ordinance No. 2020-33. The agreement shall have a term of 17 months.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Gruber
 September 15, 2020

To the Council:

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

Int. No. 338 Authorizing an agreement for the West Main Street Transportation and Placemaking Study

Int. No. 339 Authorizing an agreement with New York State Department of Transportation to provide snow and ice control

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-297
Re: Agreement – Genesee Transportation Council, West Main Street Transportation and Placemaking Study

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 establishing \$15,000 as maximum compensation for an agreement with the Genesee Transportation Council (GTC) for participation in the West Main Street Transportation and Placemaking Study. The cost of the agreement will be financed with 2019-20 Cash Capital.

The purpose of this project is to develop a set of strategies and an implementation plan that reflect a reimagining of the West Main Street corridor from West Broad Street to Chili Avenue. The strategies will seek to better accommodate bicyclists, pedestrians, and transit users while emphasizing a sense of place for the corridor and diminishing its perception as a car-oriented pass-through street. Community engagement is a crucial component of this study. Engagement will ensure that the results of the project reflect the desires and will of the adjacent communities, businesses, and residents.

DES staff will manage the project while GTC staff will oversee contract administration.

Federal transportation planning funds administered by GTC will cover \$110,000 of the \$125,000 project budget. The \$15,000 authorized herein will complete the project funding.

Consultant selection is currently underway and a firm will be selected in September 2020. The project is expected to be completed by the end of 2021. The term of the agreement shall extend until three (3) months after completion of the project. The agreement will result in the creation and/or retention of the equivalent of 0.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-297
(Int. No. 338)

Authorizing an agreement for the West Main Street Transportation and Placemaking Study

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 Genesee Transportation Council to participate in conducting the West Main Street Transportation and Placemaking Study. The maximum cost to the City shall be \$15,000, which shall be funded from 2019-20 Cash Capital. The term of the agreement shall continue until 3 months after completion of the Study.

Section 2. The agreement shall contain such other 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. 2020-298
Re: 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 a new 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

The total length of these two streets is 2.7 miles. 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 new agreement effectively replaces the longstanding agreement initiated in 1978 with the NYSDOT, which had been extended on a yearly basis since its inception. Under the new agreement, the NYSDOT will continue to reimburse the City for snow and ice control activities performed, as in the past. However, the new agreement will have 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 will be from July 1, 2019 through June 30, 2024. The City can opt out of the agreement at the completion of any of the five (5) year periods.

The basis for the reimbursement calculation will employ an average winter concept with a base amount calculated at the average of the three (3) most recent reimbursements paid to the City by the NYSDOT, with the opportunity for the City to petition each year for the actual costs exceeded beyond the base amount for that winter season. The base amount for the initial winter season will be \$72,759.91. The most recent reimbursement amount paid by the State was \$72,839.32.

The last extension under the old agreement was authorized by City Council in December 2018 (Ordinance No. 2018-401).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-298
(Int. No. 339)

Authorizing an agreement with New York State Department of Transportation to provide snow and ice control

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) 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; and
- b. Plymouth Avenue, from Commercial Street to Troup Street.

Section 2. The term of the agreement shall be from July 1, 2019 through June 30, 2024, with the option to extend for up to three additional periods of five years each.

Section 3. For each year of the agreement, the State shall compensate the City by paying a "Base Amount," which shall be the average compensation paid for the previous 3 years (calculated at \$72,759.91 for the first year of this agreement), provided, however, that if the City's actual costs for performing the service exceed the Base Amount for any year, the City also may petition NYSDOT to reimburse the City for the difference.

Section 4. The agreement shall contain such other terms and conditions as the Mayor deems appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

By Vice President Lightfoot
September 15, 2020

To the Council:

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

- Int. No. 341 Authorizing the receipt and use of grants from the New York State Governor’s Traffic Safety Committee for two safety programs
- Int. No. 343 Authorizing funding for the ROCmusic program
- Int. No. 344 Authorizing an agreement for implementing the Parent Leadership Training Institute

The following entitled legislation is being **HELD** in Committee:

- Int. No. 340 Appropriating funds for compliance checks of registered sex offenders
- Int. No. 342 Authorizing amendatory agreements for the COPS Community Policing Development Micro-Grant program

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

Received, filed and published.

Vice President Lightfoot motioned to discharge Int. No. 340

Seconded by Councilmember Harris

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-299
Re: Receipt and Use of Funds from United States Marshals Service

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation for the receipt and use of \$10,400 from the United States Marshals Service and amending the 2020-21 Budget of the Police Department by this amount.

The United States Marshals Service is providing \$10,400 for overtime as part of a short-term operation to support compliance checks of registered sex offenders. These funds do not include fringe benefits, which are estimated to be \$3,282. This is the third time we have received these funds.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-299
(Int. No. 340)

Appropriating funds for compliance checks of registered sex offenders

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

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by \$10,400 from funds to be received from the United States Marshals Service. Said funds are hereby appropriated to support compliance checks of registered sex offenders.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes- President Scott, Councilmembers Evans, Harris, Lightfoot, Patterson, Peo – 6.

Nays – Councilmembers Gruber, Lupien -2.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-300
Re: Grant Agreements – New York State Governor’s Traffic Safety Committee

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing agreements with the New York State Governor’s Traffic Safety Committee (GTSC) for the receipt and use of two grants described below, and amending the 2020-21 Budget of the Police Department by \$42,500 to reflect these grants.

2021 New York State Highway Safety Program, October 1, 2020 – September 30, 2021

GTSC provides this funding, in the amount of \$41,000, to support a Pedestrian Safety Enforcement and Education Program, the goal of which is to reduce the number of vehicle crashes, injuries and deaths, with a focus on pedestrian-involved vehicle accidents. The program includes an educational component which will utilize officers from the Community Affairs Bureau and Traffic Enforcement Unit to disseminate safety information and inform the public of the program; much of this activity will coincide with the annual GTSC “Operation See! Be Seen!” campaign in June 2021. Traffic enforcement details will focus on four roadway corridors (10.7 miles of roadway) that accounted for a disproportionate number of the City’s pedestrian-involved crashes from 2016-2019 (28% of all pedestrian-involved crashes):

- Dewey Avenue, from Driving Park Avenue to Bennington Drive
- Lake Avenue, from Lyell Avenue to Denise Road
- Lyell Avenue, from Mt Read Boulevard to State Street/Lake Avenue
- North Clinton Avenue, from Upper Falls Boulevard to Norton Street

The grant will be used to pay for police overtime for the enforcement details, but does not pay for the associated fringe cost of \$13,000. This is the first time the Police Department has received this grant. No matching funds are required.

2021 Child Passenger Safety Grant, October 1, 2020 – September 30, 2021

This award, not to exceed \$1,500, is provided by GTSC to support the Police Department’s efforts to ensure correct use of car child seats. Funding will be used for certification and continuing education of those officers teaching about safety seats at community-based, seat-checking events. This is the ninth year the Police Department has received this grant. During the first half of the current grant period (through March 31, 2020), seven car seats were inspected. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-300
(Int. No. 341)

Authorizing the receipt and use of grants from the New York State Governor's Traffic Safety Committee for two safety programs

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 Governor's Traffic Committee (GTSC) for receipt and use of a 2021 New York State Highway Safety Program grant of \$41,000 to support a Pedestrian Safety Enforcement and Education Program. The term shall be from October 1, 2020 through September 30, 2021.

Section 2. The Mayor is hereby authorized to enter into an agreement with the GTSC for receipt and use of a 2021 Child Passenger Safety Program grant of \$1,500. The term of the agreement shall be October 1, 2020 through September 30, 2021.

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

Section 5. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget for the Rochester Police Department by the sum of \$42,500 to reflect the grants authorized herein.

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Patterson, Peo -7.

Nays – Councilmember Lupien -1.

Vice President Lightfoot motioned to discharge Int. No. 342

Seconded by Councilmember Patterson

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-301
Re: Amendatory Agreements related to the U.S. Department of Justice, Office of Community Oriented Policing Services, Community Policing Development Micro-grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to a U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) Community Policing Development Micro-grant. This legislation will:

1. Authorize an amendatory agreement with the U.S. Department of Justice, COPS to extend the term for the COPS Community Policing Development Micro-grant through September 30, 2021; and
2. Authorize an amendatory agreement with Dr. Ernest Fokoué to extend the term for the agreement related to the COPS Community Policing Development Micro-grant through September 30, 2021.

The COPS Grant was authorized in Ordinance No. 2017-400 and extended for one-year each in Ordinance No. 2018-277 and 2019-235. This grant was awarded to the Rochester Police Department to:

- Improve the understanding of the scope and nature of text mining through natural language processing techniques, especially as it relates to criminal justice data.
- Design text mining algorithms that create new datasets from previously unstructured narratives.
- Create a product suite that operationalizes the data collected from algorithms to drive decision making.
- Create, test, evaluate, and document a process for utilizing natural language processing techniques in a law enforcement agency which can be extensible to other departments.

Dr. Ernest Fokoué is an Associate Professor of Mathematical Sciences with an extensive background in Statistical Machine Learning, Computational Statistics, and Statistical Data Mining. He will be responsible for the data conversion of the unstructured narrative text to a machine-readable format, primarily utilizing optical character recognition procedures. The data conversion is essential to the project to prepare the data for the application of the natural language processing techniques in the analysis phase. The agreement with Dr. Fokoué was authorized in Ordinance No. 2019-382.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-301
(Int. No. 342)

Authorizing amendatory agreements for the COPS Community Policing Development Micro-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 amendatory agreement with the U.S. Department of Justice's Office of Community Oriented Policing Services (COPS) for the receipt and use of a \$75,000 grant for the COPS Community Policing Development Micro-Grant program (Program). The amendatory agreement shall extend through September 30, 2021 the term of the agreement which was authorized in Ordinance No. 2017-400 and amended by Ordinance Nos. 2018-277 and 2019-235.

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Dr. Ernest Fokoué to continue the establishment of a system to convert the Police Department's unstructured narrative text into a machine-readable format in support of the Program. The amendatory agreement shall extend through September 30, 2021 the term of the agreement which was authorized in Ordinance No. 2019-382.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-302
Re: Appropriation – STEAM Engine –2020-21 Annual Action Plan

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

Transmitted herewith for your approval is legislation related to the STEAM (Science, Technology, Engineering, Arts, and Math) Engine described in the Consolidated Plan/2020-21 Annual Action Plan. This legislation will appropriate \$25,000 of Community Development Block Grant funds from the 2020-21 Annual Action Plan, STEAM Engine allocation.

ROCMusic is an after-school and summer community-based music enrichment program that offers tuition-free music instruction, instruments, small-group lessons, and monthly concert performances. The program includes two tracks – traditional instrumental music instruction with a focus on string and brass instruments and contemporary music instruction with a focus on piano, bass guitar, drums, disk jockeying, and emceeing. All students can also participate in electives such as African Drumming, Choir, Blues Band, Fiddling, recording skills, and sound reinforcement. In addition to instruction, the students have special access to guest artists and local cultural events, with transportation and meals arranged at no additional cost to the student or their families.

The program will serve up to 140 youth ages 6 and older at the David F. Gantt, Frederick Douglass and Edgerton R-Centers, and will culminate with a music album created in the Gantt R-Center recording studio. The funds appropriated herein will be used for music instruments and equipment, program supplies, and instructor fees.

The ROCmusic program began in 2012 as a partnership between the City, Hochstein School of Music & Dance, University of Rochester Eastman School of Music, Eastman Community Music School, Rochester Philharmonic Orchestra, and the Rochester City School District. It was last authorized by City Council Ordinance No. 2019-273 in August 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-302
(Int. No. 343)

Authorizing funding for the ROCmusic program

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

Section 1. The sum of \$25,000 is hereby appropriated from the STEAM Engine project allocation of the 2020-21 Annual Action Plan to fund the ROCmusic musical enrichment program for youth.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-303
Agreement – Rochester Area Community Foundation, Parent Leadership Training Institute

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$10,000 as maximum annual compensation for an agreement with the Rochester Area Community Foundation (Jennifer Leonard, President and CEO, Rochester, NY) for the Greater Rochester Parent Leadership Training Institute (PLTI). The agreement will be funded from the 2020-21 Budget of Undistributed Expenses, and the term will be for the remainder of this fiscal year, and with an option to renew for two additional one-year terms, contingent upon approval of the future budgets.

The Greater Rochester PLTI is part of the evidence-based National Parent Leadership Institute program that acknowledges the critical role of parent leadership. PLTI is designed to increase parents' involvement and engagement in the community, strengthen neighborhoods and families, and improve outcomes for children. Parents participate in a 21-week training program with topics that include child and adolescent youth development, public speaking, civics, and policy development. Twenty-five parents will be served by the Parent Leadership Cohort this year. In addition, PLTI will provide the Children's Leadership Cohort, a parallel program for children of participants, and the Alumni Community Impact program for PLTI graduates.

PLTI has been implemented in the Rochester region since 2012 and has more than 150 local alumni. The City has supported this program since it was first implemented. The most recent agreement for this service was approved by City Council Ordinance No. 2017-236 in July 2017. A Justification for No RFP is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-175

Ordinance No. 2020-303
(Int. No. 344)

Authorizing an agreement for implementing the Parent Leadership Training Institute

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 in the maximum amount of \$10,000 with the Rochester Area Community Foundation for implementing the Parent Leadership Training Institute (PLTI). Said amount shall be funded from the 2020-21 Budget of Undistributed Expenses. The term of the agreement shall be for the remainder of

the 2020-21 fiscal year with an option to renew for up to two additional one-year terms at a maximum annual amount of \$10,000 to be funded by subsequent years' Budgets of Undistributed Expenses, contingent upon their approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:20 p.m.

HAZEL L. WASHINGTON
City Clerk



ROCHESTER CITY COUNCIL

SPECIAL MEETING

September 18, 2020

11:30 A.M.

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

Present - President Scott, Councilmember Evans, Gruber, Harris, Lightfoot, Lupien, Patterson, Peo - 8.

Absent – None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2020-29
Re: Resolution Authorizing the Issuance of Subpoenas for an Independent Investigation

Transmitted herewith for Council approval is a resolution authorizing the issuance of subpoenas to various City Departments and others to support an independent investigation into the internal communications, processes, and procedures that took place related to the death of Daniel Prude while in police custody, including members of both the Administration and the City Council.

On September 15, 2020, the City Council unanimously passed legislation to fund an independent investigation conducted by Andrew G. Celli, Jr. and his firm, Emery, Celli, Brinkerhoff, Abady, Ward & Maazel LLP, New York, NY. The City Charter Section 5-21(G) grants City Council the authority to investigate all City departments including the right to review records and papers, and additionally authorizes the Council President to issue a subpoena for that purpose. Mr. Celli has requested that the City Council issue subpoenas in order to facilitate his ability to conduct the investigation as previously authorized by City Council.

Respectfully submitted,
Loretta C. Scott
President

Willie J. Lightfoot
Vice President

Malik D. Evans

Mitch Gruber

LaShay D. Harris

Mary Lupien

Michael A. Patterson

Jose Peo

Resolution No. 2020-29
(Int. No. 350)

Resolution authorizing the issuance of subpoenas to various City Departments, and to others, in furtherance of an independent investigation into the internal communications, processes, and procedures that took place related to the death of Daniel Prude after an interaction with members of the Rochester Police Department.

WHEREAS, Daniel Prude died after an interaction with the Rochester Police Department on March 23, 2020; and

WHEREAS, the Council of the City of Rochester at a Meeting on September 15, 2020 authorized the initiation of an investigation into circumstances surrounding that interaction and all subsequent related actions; and

WHEREAS, Section 5-21 (G) of the Charter of the City of Rochester authorizes the issuance of subpoenas in connection with such an investigation; and

WHEREAS, legal counsel retained by City Council for the purposes of completing this investigation has requested that City Council issue subpoenas in order to facilitate their investigation.

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

Section 1. Pursuant to Section 5-21 (G) of the City Charter the City Council hereby authorizes the Council President or Vice President to issue subpoenas for records, papers, and other evidence in any form and for the attendance of witnesses as are appropriate for the investigation as authorized by Council on September 15, 2020 relative to the interaction between Daniel Prude and the Rochester Police Department as well as all subsequent and related activities.

Section 2. The Council President or Vice President is so authorized without need of further action by the Council, and upon the request of legal counsel retained by the City Council to conduct the investigation described immediately above.

Section 3. The subpoenas authorized herein may be made returnable to legal counsel Emery, Celli, Brinkerhoff, Abady, Ward & Maazel LLP (principal: Andrew G. Celli, Jr.) retained for purposes of conducting this investigation.

Section 4. Council further authorizes the aforementioned legal counsel to adjust the time, location and manner of production of documents or testimony pursuant to subpoena as they deem necessary.

Section 5. This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 11:35 A.M.

Hazel L. Washington
City Clerk

ROCHESTER CITY COUNCIL

SPECIAL MEETING

September 24, 2020

4:00 P.M.

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

Present - President Scott, Councilmember Evans, Gruber, Harris, Lightfoot, Lupien, Patterson, Peo - 8.

Absent – None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

TO THE COUNCIL

Ladies and Gentlemen:

Re: Resolution No. 2020-30
Resolution - Appointment to City Council – Miguel A. Meléndez, Jr.

Transmitted herewith for your approval is legislation appointing Miguel A. Meléndez, Jr. to fill the term of the vacant Councilmember at Large seat through December 31, 2021.

The seat became vacant on August 27, 2020 and the City Charter in Section 5-4 requires that the Council fill any vacancy on the Council within thirty days.

Mr. Meléndez currently serves as the Chief Community Engagement Officer for Ibero-American Action League, Inc. and Ibero-American Development Corporation.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2020-30
(Int. No. 351)

Resolution approving appointment to City Council

WHEREAS, the office of City Councilmember at Large became vacant on August 27, 2020; and

WHEREAS, the City Charter requires that City Council fill a vacancy on the Council within 30 days of the vacancy; and

WHEREAS, the City Council has reviewed the qualifications of the various candidates who have expressed an interest in filling the vacant seat; and

WHEREAS, Miguel A. Meléndez, Jr. meets the qualifications for appointment to the office and has demonstrated to the Council the talents and abilities required to serve as a City Councilmember at Large.

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

Section 1. Miguel A. Meléndez, Jr. is hereby appointed to fill the office of City Councilmember at Large for a term that extends through December 31, 2021.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 4:17 P.M.

Hazel L. Washington
City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

October 13, 2020

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

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

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

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

Special Recognition:

Dr. William Bayer

Retirement:

ECD:

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

NBD:

- *Mary Kay Kenrick

RFD:

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

RPD:

- *Margaret Atkinson
- *Francis Di Primo II
- *Anthony Fratta
- *Joseph Morabito
- *Fabian Rivera
- *Michael Santana
- *Lisa Trouskie Darryl Winter

RPL:

- *Paula McKnight
- *Paul Tantillo

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Evans

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

Adopted unanimously.

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

The Mayor submits the following:

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

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

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

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

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

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

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

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

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

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

Councilmember Gruber seconded the motion.

Motion passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: INTRODUCTORY NO. 372
Agreement with WilmerHale to review critical RPD policies, procedures, and trainings

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

Loretta C. Scott
President

INTRODUCTORY NO. 372

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

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

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

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

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

Section 4. This ordinance shall take effect immediately.

REFERRED TO PUBLIC SAFETY AND RECREATION COMMITTEE.

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Evans
October 13, 2020

To the Council:

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

- Int. No. 352 Adoption of record retention and disposition schedules
- Int. No. 367 Resolution establishing the schedule for Council Committee meetings and Public Hearings during 2021
- Int. No. 368 Resolution establishing the schedule for regular meetings of Council during 2021
- Int. No. 369 Authorizing a data protection agreement
- Int. No. 370 Authorizing agreement for the “Walled Garden” Development Project
- Int. No. 371 Authorizing an amendatory agreement for outside conflict counsel services relating to the independent investigation authorized by Ordinance No. 2020-283

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-304
(Int. No. 352)

Adoption of record retention and disposition schedules

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

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

Section 2. In accordance with Article 57-A:

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

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

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

§ 18-4 Retention of records.

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

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

- B. All records listed in Subsection A of this section shall be retained for at least the minimum time period so required by the Records Retention and Disposition Schedule MU-1 in Section 18.11 of 8 NYCRR (Appendix H) Municipal Code § 18-4, Retention of records.

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

Section 7. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-176

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

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

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

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

WHEREAS, Section VIII of those Rules scheduled Public Hearings to take place at the end of the last scheduled standing Council Committee meeting on the set dates for Council Committee meetings for 2020 and required a Committee meeting schedule for 2021 to be established in a Resolution adopted during 2020.

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

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

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

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

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

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

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

Resolution establishing the schedule for regular meetings of Council during 2021

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

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

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

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

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

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

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-305
Re: Data Protection Agreement-Charter

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

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

Respectfully submitted,
Lovely A. Warren
Mayor

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

Authorizing a data protection agreement

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Spectrum Northeast, LLC, known as Charter (“Charter”), to protect from unnecessary disclosure or use the maps, specifications and other data that Charter provides to the City concerning the cables and related facilities that have or will be installed in the City right-of-way pursuant to Charter’s cable franchise agreement with the City. The term of the agreement shall continue for so long as the City possesses such maps, specifications and other data.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-306
Re: Fiscal Sponsorship – Rochester Economic Development Corporation – “Walled Garden” Development Project

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

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

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

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

The Project is a continuation of the work spearheaded by the Office of Community Wealth Building (OCWB) with SourceLink and key ESO partners, also funded by JPMC and Living Cities grants. Last month, OCWB publicly launched the software products under the regional brand *Nexus i90: Entrepreneurial Ecosystem Solutions* (nexusi90.org). This was the culmination of a phased implementation agenda that began in January. The “Walled Garden” would strengthen the foundation of our community-based economic development strategy. The initial subscription paid for ten 3-year licenses. The Project will broaden access to the CRM platform and deepen regional collaboration and reporting.

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

Respectfully submitted,
Lovely A. Warren
Mayor

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

Authorizing agreement for the “Walled Garden” Development Project

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

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

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

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

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

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

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

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Morrison & Foerster LLP to continue to provide legal services as outside conflict counsel with regard to the independent investigation being conducted pursuant to Ordinance No. 2020-283 (the Investigation). The amendatory agreement shall amend the existing agreement to increase the maximum compensation by \$75,000 to a new total of \$85,000 and to extend the term of the agreement to the completion of the Investigation. The amendatory compensation shall be funded from the 2020-21 Budget of Undistributed Expenses.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson
October 13, 2020

To the Council:

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

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

Respectfully submitted,
Michael A. Patterson
Mary Lupien
Miguel Meléndez
Willie J. Lightfoot
Loretta C. Scott

NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed, and published

TO THE COUNCIL
Ladies and Gentlemen:

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

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

New full-time members:

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

Reappointments:

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

Alternates:

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

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

Resolution approving appointments to the Zoning Board of Appeals

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

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

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

Section 2. The Council hereby approves the re-appointment of the following individuals to the Zoning Board of Appeals, each as a regular member for a term which shall expire on May 31, 2022:

Name	Council District
James Best	Northeast
Cora Murphy	Northwest
Tyrese Bryant	South
David Carr	Northeast
Laureen Jennings	East

Section 3. The Council hereby approves the appointment of the following individual to the Zoning Board of Appeals, as an alternate member for a term which shall expire on May 31, 2022:

Name	Address (Council District)
Joseph O'Donnell	150 Versailles Rd, 14621 (Northeast)

Section 4. This resolution shall take effect immediately.

New text is underlined.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-34
Re: Appointments – City Planning Commission

Transmitted herewith for your approval is legislation confirming the appointment of two full-time members to the City Planning Commission and reappointing 5 full time members. The current terms of the reappointments expired on May 31, 2020; therefore the new, two-year terms will expire on May 31, 2022. The two new appointments terms will expire May 31, 2022.

New full-time members:

<u>Name</u>	<u>Address</u>
Markeba Williams	599 West Main St, 14608 (South)
Kimberly Harding	150 Elmcroft Road, Rochester 14609 (East)

Reappointments:

<u>Name</u>	<u>District</u>
David Watson	South
Eugenio Marlin	NW
Bradley J. Flowers	South
Milton Pichardo	NE
Kaeri Carroll	East

Alternates:

<u>Name</u>	<u>District</u>
Steven V. Rebholz	East
Richard Mauser	East

Resumes for all individuals are on file with the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2020-34
(Int. No. 354)

Resolution approving appointments to the City Planning Commission

BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the appointment to the City Planning Commission of the following persons as regular members for a term that shall expire May 31, 2022:

Name	Address (Council District)
Markeba Williams	599 West Main St, 14608 (South)
Kimberly Harding	150 Elmcroft Road, 14609 (East)

Section 2. The Council hereby approves the re-appointments to the City Planning Commission of the following persons as regular members, each for a two-year term that shall expire May 31, 2022:

Name	Address (Council District)
David Watson	South
Eugenio Marlin	NW
Bradley J. Flowers	South
Milton Pichardo	NE
Kaeri Carroll	East

Section 3. The Council hereby approves the re-appointments to the City Planning Commission of the following persons as alternate members, each for a two-year term that shall expire May 31, 2022:

Name	Address (Council District)
Steven V. Rebholz	East
Richard Mauser	East

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-35
Re: Appointments – Preservation Board

Transmitted herewith for your approval is legislation confirming the appointment of three full-time members and one alternate to the Preservation Board and reappointing 4 full time members. The current terms of the reappointments expired on May 31, 2020; therefore the new, two-year terms will expire on May 31, 2022. The two new appointments terms will expire May 31, 2022.

New full-time members:

<u>Name</u>	<u>Affiliation</u>
Karsten Solberg	Architect (moved up from alternate list)
Kijana Crawford	Susan B. Anthony Preservation District resident
Isaac Bracher	Architect

Reappointments:

<u>Name</u>	<u>Affiliation</u>
Christopher Carretta	Real estate professional
Deborah Beardslee	At-large City resident
James DeVinney	Historical Association
Dave Matthews	Architect
Gerald Gamm	Preservation District resident

Alternates:

Edward Cain	East Avenue Preservation District resident
Jason Dobbs	Architect
<u>Isaac Bracher</u>	<u>Architect</u>

Resumes for all individuals are on file with the City Clerk.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2020-35
(Int. No. 355, as amended)

Approving appointments to the Rochester Preservation Board

BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the appointment to the Rochester Preservation Board of the following persons as regular members, for a term which shall expire on May 31, 2022:

Name	Affiliation
Karsten Solberg	Architect
Kijana Crawford	Preservation District Resident
Isaac Bracher	Architect

Section 2. The Council hereby approves the re-appointment to the Rochester Preservation Board of the following persons as regular members, for a term which shall expire on May 31, 2022:

Name	Affiliation
Christopher Carretta	Realtor
Deborah Beardslee	At-large City resident
James DeVinney	Historic association
Dave Matthews	Architect
<u>Gerald Gamm</u>	<u>Preservation District Resident</u>

Section 3. The Council hereby approves the appointment to the Rochester Preservation Board of the following persons as alternate members, for a term which shall expire on May 31, 2022:

Name	Affiliation
Edward Cain	Preservation District Resident
Jason Dobbs	Architect
<u>Isaac Bracher</u>	<u>Architect</u>

Section 4. This resolution shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-308
Re: Agreements- Cities RISE Grant, Additional Outreach Funding

Council Priority: Rebuilding and Strengthening Neighborhoods, Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Cities RISE grant, which is funded by the NYS Attorney General, and administered by Enterprise Community Partners. The grant supports several ongoing initiatives aimed at enhancing the City’s code enforcement operations, and fostering equitable housing access. The City was recently awarded additional funding to support outreach to vulnerable tenants and landlords to prevent eviction and foreclosure related to the COVID-19 pandemic. This legislation will:

1. Authorize an amendatory grant agreement with Enterprise Community Partners, for the receipt and use of additional Cities RISE program grant funding. The amendatory agreement shall increase the amount of the grant agreement, which was authorized in Ordinance Nos. 2018-389 and 2020-33, by \$10,652.61, from \$950,000.00 to \$960,652.61. All other terms will remain the same.
2. Authorize \$10,652.61 as maximum compensation for an agreement with The Housing Council at PathStone, Inc. (Mary Leo, Executive Director, 75 College Ave, 4th Floor, 14607) to conduct an outreach campaign aimed at preventing eviction and foreclosure related to the COVID-19 pandemic. The term of the agreement will be for 6 months with an option to extend for an additional 6 months.

Enterprise is required to deploy the additional funding to Rochester by the end of October, or risk it being recaptured by the NYS Attorney General. There is also urgency to deploy this outreach campaign due to the expiration of the NYS eviction moratorium on October 1st and local courts now accepting new cases. The Housing Council will serve as lead agency overseeing the outreach campaign and proposes to subcontract with The Cause Collaborative, a local MWBE media firm that specializes in outreach and marketing for non-profits. The Housing Council will work with City and partner agency representatives to distill the most up-to-date information on local resources aimed at helping tenants and landlords mitigate eviction risk and foreclosure. They will also integrate the outreach campaign with their existing services for tenants and landlords, including the long running Housing Hotline. The Cause Collaborative will develop the media content, advise on media strategy, and coordinate advertisement placement.

The outreach campaign will feature a three pronged approach. First, the contractor will print and distribute a well-designed hard-stock resources card with information on resources for eviction and foreclosure prevention. This will be direct mailed to small and vulnerable landlords, based on characteristics identified in the COVID-19 Landlord Survey deployed in partnership with Harvard. It will also be direct mailed to the tenants residing in the units in their properties. The card will also be hand delivered to landlords and tenants by City Code Enforcement Officers during the course of their inspection activities. The contractor will also produce a radio advertisement sharing the same information to play on local stations that cater to the Black and Latinx listener populations respectively. Finally, the contractor will design and deploy a social media campaign including purchasing targeted advertisements, sharing the same information as above.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-177

Ordinance No. 2020-308
(Int. No. 356)

Authorizing agreement and funding for the Cities RISE program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory grant agreement with Enterprise Community Partners, Inc. for the receipt and use of additional Cities RISE program grant funding. The amendatory agreement shall increase the amount of the grant agreement, which was authorized in Ordinance Nos. 2018-389 and 2020-33, by \$10,652.61, to a new total of \$960,652.61. The term of the amendatory agreement shall not exceed three years.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with The Housing Council at Pathstone, Inc. to conduct an outreach campaign to prevent evictions and foreclosures arising from the COVID-19 pandemic. The maximum compensation for the agreement shall be \$10,652.61, which amount is hereby appropriated for that purpose from the amendatory grant agreement funds authorized in Section 1 herein. The term of the agreement shall be 6 months with an option to extend for up to 6 months.

Section 3. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Gruber
October 13, 2020

To the Council:

The **PARKS & PUBLIC WORKS COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 357 Authorizing Architectural Professional Services Term Agreements
- Int. No. 358 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$649,000 Bonds of said City to finance the 965 Maple Street Roof Replacement Project
- Int. No. 359 Authorizing agreement for the 965 Maple Street Roof Replacement Project
- Int. No. 361 Authorizing agreements and appropriating funds for the Pont de Rennes Bridge and Brown’s Race Rehabilitation Project
- Int. No. 362 Authorizing the implementation and funding in the first instance of the State-aid Program eligible costs of a capital project and appropriating funds therefor

The **PARKS & PUBLIC WORKS COMMITTEE** recommends for **CONSIDERATION** the following entitled legislation:

- Int. No. 360 Authorizing pavement width changes for the Preventive Maintenance Northwest Group 12 Improvement Project
- Int. No. 363 Amending the Official Map by abandoning the Theodore Street right-of-way that is south of Clifford Avenue, **as amended**

Respectfully submitted,
 Mitch Gruber
 Malik Evans
 Jose Peo
 Willie J. Lightfoot
 Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-309
Architectural Professional Services Term Agreements

Council Priority: Creating and Sustaining a Culture of Vibrancy
Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to architectural professional services. This legislation will authorize six (6) separate Professional Service Term Agreements with the following companies:

1. Architectura, P.C. (Jennifer Takatch, AIA, C.E.O, 17 Pitkin Street, Suite 100, Rochester, NY)
2. Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro V. Giovenco, C.E.O., 280 East Broad Street, Suite 200, Rochester, NY)
3. HBT Architects LLP (James Tripp, AIA, C.E.O, 2 Elton Street, Rochester, NY)
4. The Pardi Partnership Architects, P.C. (Scott L. Fiske, C.E.O, 25 Circle Street, Suite 101, Rochester, NY)
5. Passero Associates, Engineering, Architecture & Surveying, D.P.C (Andrew M. Holesko, CM, C.E.O., 242 West Main Street, Suite 100, Rochester, NY)
6. Richard A. Mauser, R.A., dba RAM Architects or Richard A. Mauser Architects (91 Pinnacle Road, Rochester, NY)

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary from capital funds appropriated for specific projects. The cost for services will be provided utilizing pre-specified billing rates within the agreements. The agreements will have a term of three (3) years with the option to renew for two (2) additional years.

The companies listed above were selected through a request for qualifications (RFQ) process described in the attached summary. Engagement of each company will be based on project specific proposals, type of services required, and the ability to perform the services within the time specified by the City.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-178

Ordinance No. 2020-309
(Int. No. 357)

Authorizing Architectural Professional Services Term Agreements

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following companies for the provision of various services related to architectural professional services:

Architectura, P.C.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.

HBT Architects LLP

The Pardi Partnership Architects, P.C.

Passero Associates, Engineering, Architecture & Surveying, D.P.C.

Richard A. Mauser, R.A., dba RAM Architects or Richard Alfred Mauser Architects

Section 2. The agreements shall be funded from the annual budgets of the Department of Environmental Services and, if necessary, from capital funds appropriated for specific projects. The cost for services shall be based on billing rates pre-specified within each agreement. Each agreement shall have a term of 3 years with the option to renew for up to two additional years.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-310
Ordinance No. 2020-311

Re: 965 Maple Street Roof Replacement

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to 965 Maple Street Roof Replacement project. This legislation will:

- 1) Authorize the issuance of bonds totaling \$649,000 and the appropriation of the proceeds thereof to finance design and construction of the project; and,
- 2) Establish \$85,000 as maximum compensation for a professional services agreement with Lothrop Associates LLP, (John Cutsumpas, AIA, CEO, 510 Clinton Square, Rochester, NY) for design phase and construction administration services to be funded with bonds appropriated herein.

The project includes replacement of the roof, and related electrical, mechanical, and plumbing alterations as necessary. The 23,630 square foot building houses DES Parks Operations.

Lothrop Associates LLP was selected for design services through a Request for Proposal (RFP) process which is described in the attached summary. The term of the agreement shall extend until three (3) months after the two-year guarantee inspection of the project.

Design phase services will begin in fall 2020. Construction is anticipated to begin spring 2021 with anticipated substantial completion in fall 2021. The project will result in the creation and/or retention of the equivalent of 7.0 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-179

Ordinance No. 2020-310
(Int. No. 358)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$649,000 Bonds of said City to finance the 965 Maple Street Roof Replacement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of replacing the roof, and related electrical, mechanical and plumbing alterations, for the Parks Operations building located at 965 Maple Street (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$649,000. The plan of financing includes the issuance of \$649,000 bonds which are hereby appropriated therefor, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$649,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$649,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00.a.12(a)(1) of the Law, is twenty-five (25) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

Ordinance No. 2020-311
(Int. No. 359)

Authorizing agreement for the 965 Maple Street Roof Replacement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Lothrop Associates LLP to provide design phase and construction administration services for the 965 Maple Street Roof Replacement Project (Project). The maximum compensation for the agreement shall be \$85,000, which shall be funded from the proceeds of bonds appropriated for the Project in a concurrent ordinance. The term of the agreement shall continue until three months after completion of the two-year guarantee inspection of the Project.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-312
Re: Preventive Maintenance Northwest Group 12 - Driving Park (Ramona Street to Dewey Avenue), Emerson Street (Mt. Read Boulevard to Sherman Street), Jay Street (Mt. Read Boulevard to At-Grade Railroad Crossing)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Preventive Maintenance Northwest Group 12 Improvement Project. This legislation will authorize changes in pavement width as follow:

- 1) On Driving Park Avenue:
 - a) A decrease in pavement width of 6 feet, from 37 feet to 31 feet, beginning 55 feet east of Lark Street and continuing west to Lark Street.
- 2) On Emerson Street:
 - a) A tapered variable decrease in pavement width of 0 feet to 8 feet, from 44 feet to 36 feet, beginning 220 feet west of Norman Street and continuing 145 feet east; and,
 - b) A decrease in pavement width of 8 feet, from 44 feet to 36 feet, beginning 75 feet west of Norman Street and continuing east to Norman Street; and,
 - c) A tapered variable decrease in pavement width of 0 feet to 6 feet, from 44 feet to 38 feet, beginning 164 feet east of Norman St and continuing west to Norman Street.

This is a Federal Aid Project that is administered by the City under agreement with the New York State Department of Transportation (NYSDOT).

No additional right-of-way is required to accommodate the pavement width changes.

This project includes milling and resurfacing of the pavement, spot curb replacements, installation or upgrade of sidewalk curb ramps, adjustment and repair of manholes, receiving basins, and water valve castings, and replacement of traffic pavement markings. Additional enhancements include new bike lanes, curb bump-outs, new left turn lanes on Emerson Street at Glide Street and an evaluation for converting the signalized intersection of Jay Street and Glide Street to a four-way stop. These improvements will enhance the surface drainage and riding quality of the roadway, improve accessibility for all users, and expand the useful life of the pavement structure.

The project is being designed by Joseph C. Lu Engineering, P.C. (Cletus O. Ezenwa, P.E., CEO, 339 East Avenue, Suite 200, Rochester, NY), as authorized in August 2019 (Ordinance No. 2019-258).

A public informational meeting was held on August 28, 2020. A copy of the minutes of this meeting are attached. The pavement width changes required for the project will be presented to the Traffic Control Board on September 2, 2020.

Design phase services are anticipated to be completed in fall/winter 2020. Construction is anticipated to begin in early 2021 with substantial completion by fall 2021.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-180

Ordinance No. 2020-312
(Int. No. 360)

Authorizing pavement width changes for the Preventive Maintenance Northwest Group 12 Improvement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Council hereby approves the following payment width changes for the Preventive Maintenance Northwest Group 12 Improvement Project (the Project):

1. On Driving Park Avenue:
 - a. A decrease in pavement width of 6 feet, from 37 feet to 31 feet, beginning 55 feet east of Lark Street and continuing westward to Lark Street.
2. On Emerson Street:
 - a. A tapered variable decrease in pavement width of 0 feet to 8 feet, from 44 feet to 36 feet, beginning 220 feet west of Norman Street and continuing 145 feet eastward; and
 - b. A decrease in pavement width of 8 feet, from 44 feet to 36 feet, beginning 75 feet west of Norman Street and continuing eastward to Norman Street; and
 - c. A tapered variable decrease in pavement width of 0 feet to 6 feet, from 44 feet to 38 feet, beginning 164 feet east of Norman Street and continuing westward to Norman Street.

Section 2. The changes authorized herein shall be made in accordance with the plans and specifications approved by the City Engineer, who may make reasonable modifications.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-313
Resolution No. 2020-36

Re: Agreement – Labella Associates, D.P.C. Pont de Rennes Bridge and Brown’s Race Rehabilitation Project

Council Priority: Creating & Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to the Pont de Rennes Bridge and Browns Race Rehabilitation Project. The legislation will:

1. Authorize the Mayor to enter into an agreement with New York State Department of Transportation (NYSDOT) to participate in and administer the project; and,
2. Appropriate \$576,000 in anticipated reimbursements from ROC the Riverway / Upstate Revitalization Initiative funding administered by the New York State Department of Transportation (NYSDOT) to finance the engineering and design of the project; and,

3. Establish \$1,177,000 as maximum compensation for an agreement with Labella Associates, D.P.C. (Steven Metzger, C.E.O., 300 State Street, Rochester, NY) for comprehensive bridge inspection, design, and construction administration services related to the project. The term of the agreement shall extend until three (3) months after the completion of the two-year guarantee inspection of the project; and,
4. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), committing the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

The project includes significant structural repairs to protect the historic asset of Pont de Rennes Bridge and to ensure its safety and viability for generations to come. In addition to the needed structural repairs, the City will create a more dynamic public space on the bridge with creative lighting, public art, plantings, and trail connections to enhance the visitor experience. Brown’s Race street improvements includes replacing underdrain systems, removal and resetting of pavers, bollard and light fixture replacements, and site amenity upgrades. The limits of the Brown’s Race street improvements are from Platt Street to Furnace Street. Both projects are being progressed under the same contract to utilize efficiencies during the design and construction phases.

The project is partially funded with \$4,000,000 in ROC the Riverway funds awarded by the Honorable Governor Andrew M. Cuomo and administered through the NYSDOT.

Construction costs outlined below are estimated. Actual costs will be determined at the time of public bid and further legislation will be necessary to authorize construction funding. The estimated total project cost will be financed as follows:

Source of Funds	Design	Estimated Construction	Total
NYSDOT funds authorized herein	576,000	0	\$ 576,000
NYS DOT funds to be authorized in future legislation	0	3,424,000	\$ 3,424,000
2017-18 Cash Capital	601,000	0	\$ 601,000
Bonds to be authorized in future legislation	0	5,350,000	\$ 5,350,000
Total:	\$ 1,177,000	\$8,774,000	\$ 9,951,000

Labella Associates, D.P.C. was selected for comprehensive bridge inspection and design services through a request for proposal process, which is described in the attached summary.

Design services are anticipated to begin in fall 2020. Construction is anticipated to begin in spring 2023 with scheduled completion in fall 2024. The design portion of the project results in the creation/retention of the equivalent of 12.8 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-181

Ordinance No. 2020-313
 (Int. No. 361)

Authorizing agreements and appropriating funds for the Pont de Rennes Bridge and Brown’s Race Rehabilitation Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation (NYSDOT) to participate in and administer the Pont de Rennes Bridge and Brown’s Race Rehabilitation Project (the Project) and for the receipt and use of ROC the Riverway/Upstate Revitalization Initiative funding for the Project.

Section 2. The sum of \$576,000 in anticipated reimbursements from NYSDOT through the ROC the Riverway/Upstate Revitalization Initiative is hereby appropriated to fund a portion of the professional services for the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Labella Associates, D.P.C. to provide bridge inspection, design, and construction administration services for the Project. The maximum compensation for the agreement shall be \$1,177,000, which shall be funded in the amount of \$576,000 from the appropriation authorized in Section 2 herein and in the amount of

\$601,000 from 2017-18 Cash Capital. The term of the agreement shall continue until three months after completion of the two-year guarantee inspection of the Project.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2020-36
(Int. No. 362)

Authorizing the implementation and funding in the first instance of the State-aid Program eligible costs of a capital project and appropriating funds therefor

WHEREAS, a Project for Pont de Rennes Bridge, P.I.N. 4RTR.02 (the "Project") is eligible for funding under a New York State Program administered by the NYS Department of Transportation (NYSDOT);

WHEREAS, a sum not to exceed \$1,052,000 in Program funding is available to progress the Project; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the State share of the costs of design work.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester as follows:

That the Council of the City of Rochester hereby approves the above-subject project;

That the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of design work for the Project or portions thereof;

That the sum of \$1,052,000 appropriated pursuant to Ordinance No. 2020-313 is available to cover the cost of participation in the above described phase of the Project;

That in the event that the full State share costs of the Project exceed the amount appropriated above, the Council of the City of Rochester shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Engineer thereof;

THAT the Mayor of the City of Rochester be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for State Aid on behalf of the City of Rochester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible;

THAT a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project between the City of Rochester and the State of New York; and

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-314
Re: Official Map Amendment – Theodore Street Abandonment

Council Priority: Reinforcing Strong Neighborhoods and Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the amending of Theodore Street right-of-way (ROW) as part of the CDS Life Transitions development project. This legislation will amend the Official Map by abandoning Theodore Street to be incorporated into the CDS Life Transitions development project site.

CDS Life Transitions development project includes the new construction of seven (7) buildings on approximately 3.5 acres of land. When completed, 164 affordable residential units will have been created.

The abandonment shall take effect upon the compliance by the applicant with the recommendations and conditions established by the City Planning Commission. The City Planning Commission, at its May 11, 2020 meeting recommended approval of this abandonment by a vote of 7-0-0. Minutes of that meeting, along with the application, are attached.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-182

Ordinance No. 2020-314
(Int. No. 363, as amended)

Amending the Official Map by abandoning the Theodore Street right-of-way that is south of Clifford Avenue

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 76 of the Municipal Code, Official Map, as amended, is hereby further amended by changing and deleting therefrom the following described property, heretofore dedicated to street purposes and constituting a portion of Theodore Street:

Legal Description of Theodore Street Right-of-Way to be Abandoned

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, and being more particularly bounded and described as follows:

Beginning at a point at the westerly right-of-way of Theodore Street, said point being at the intersection with the southerly right-of-way line of Clifford Avenue; thence,

1. N 87° 08' 55" E, along the southerly right-of-way of Clifford Avenue, a distance of 31.00 feet to a point; thence,
2. S 02° 30' 55" E, along the easterly right-of-way of Theodore Street, a distance of 431.18 feet to point at the southeasterly corner of the right-of-way of Theodore Street; thence,
3. N 53° 43' 54" W, along the southerly right-of-way of Theodore Street, a distance of 39.77 feet to a point on the westerly right-of-way of Theodore Street; thence,
4. N 02° 30' 55" W, along the westerly right-of-way of Theodore Street, a distance of 406.09 feet to the point of beginning.

Hereby intending to describe a parcel of land containing 0.298 more or less acres of land, all as shown on a map entitled "THEODORE STREET RIGHT OF WAY TO BE ABANDONED", dated November 19, 2019 as prepared by Passero Associates.

Section 2. This ordinance shall take effect ~~upon the compliance by the applicant with the conditions established by the City Planning Commission in its recommendations of May 11, 2020~~ immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By Vice President Lightfoot
October 13, 2020

To the Council:

The **PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 364 Authorizing a grant agreement for the 2020 State Homeland Security Program
- Int. No. 365 Local Law amending the City Charter with respect to the name of the Department of Recreation and Youth Services, as amended
- Int. No. 366 Amending the Municipal Code and 2020-21 Budget with respect to the Department of Recreation and Youth Services, as amended

Respectfully submitted,
Willie Lightfoot
Mitch Gruber
LaShay D. Harris
Jose Peo
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-315
Re: Grant Agreement – 2020 State Homeland Security Program (SHSP)

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Homeland Security and Emergency Services (NYS DHSES) for the receipt and use of \$111,700.00 from the 2020 State Homeland Security Program (SHSP) grant and amending the 2020-21 Budgets of the Fire Department by \$42,000 and Undistributed Expenses by \$14,500 for related personnel expenses. The remaining non-personnel expenses will be funded directly from a Special Revenue Fund specific to this grant. Since this is a multi-year grant, any remaining personnel expenses will be appropriated in the 2021-22 Budget of the Fire Department, contingent upon its approval.

This grant is provided to support building, sustainment and delivery of core capabilities for achieving preparedness and resilience in the event of terrorist attacks, severe weather and other significant events in the Rochester/Monroe County region. Grantees are required to build capabilities that relate to the prevention of, protection from, or response to significant events. The program period is September 1, 2020 through August 31, 2023, and no matching funds are required.

The 2020 allocation will be used for equipment, such as: rescue task force personal protective gear, search and rescue equipment and pandemic preparedness PPE (\$55,200). Funding will also support overtime back-fill for rescue task force sustainment training and Community Emergency Response Training (CERT) (\$42,000) and fringe benefits for all personnel expenses included in the funding allocation (\$14,500).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-315
(Int. No. 364)

Authorizing a grant agreement for the 2020 State Homeland Security Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of a \$111,700 grant from the 2020 State Homeland Security Program. Said funds are hereby appropriated to support preparedness and resilience in the event of terrorist attacks, severe weather and other emergency events.

Section 2. The term of the agreement shall be from September 1, 2020 through August 31, 2023.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Fire Department by \$42,000 and Undistributed Expenses by \$14,500, which amounts are hereby appropriated from the Program grant authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 6
Ordinance No. 2020-316
Re: Amending the City Charter – Department name

Transmitted herewith for your approval is legislation amending Article XIA of the City Charter with regard to the name of the Department of Recreation and Youth Services. The Department of Recreation and Youth Services will become the ~~Department of Community Advancement Services~~ Recreation and Human Services. There will be an associated change in the name of the Commissioner.

The name change is necessary to represent the department’s full scope of services available to the community, including services provided to young adults, adults, and families. The new name is also responsive to the recent implementation of the Crisis Intervention Services unit within the department, which will allow the City to effectively respond to crisis situations with trained and experienced behavioral and mental health professionals independent of law enforcement protocols.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Law No. 6
(Int. No. 365, as amended)

Local Law amending the City Charter with respect to the name of the Department of Recreation and Youth Services

BE IT ENACTED, by the Council of the City of Rochester as follows:

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by modifying the title and Sections 11A-1 and 11A-2 of Article XIA, Department of Recreation and Youth Services, to read as follows:

Article XIA DEPARTMENT OF ~~COMMUNITY ADVANCEMENT~~ RECREATION AND HUMAN SERVICES

§ 11A-1 Department of ~~Community Advancement~~ Recreation and Human Services.

The Department of ~~Community Advancement~~ Recreation and Human Services shall be responsible for the administration of programs providing recreation, cultural and other leisure-time services to residents; for parks programming; for the administration of youth services programs; and for providing such other special events and public services as may be required and assigned to the Department, including responsibility for the Public Market. The Department shall be organized into bureaus, divisions or other operating units as deemed necessary by the Commissioner and the Mayor.

§ 11A-2 Commissioner of ~~Community Advancement~~ Recreation and Human Services.

The Commissioner of ~~Community Advancement~~ Recreation and Human Services shall be the head of the Department of ~~Community Advancement~~ Recreation and Human Services and shall be responsible to and report to the Mayor. He or she shall appoint, with the approval of the Mayor, the heads of bureaus, divisions or other operating units that may be established. He or she shall also have such powers and duties as may be assigned by the Mayor and granted to him or her by law or ordinance.

Section 3. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by modifying § 2-3, Administrative departments, to replace “Department of Recreation and Youth Services” with “Department of ~~Community Advancement~~ Recreation and Human Services”.

Section 4. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by modifying Subsections 2-18(B)(8) and 2-18(G)(1) of § 2-18, Code of Ethics, to replace each of the two clauses reading “Commissioner of Recreation and Youth Services” with “Commissioner of ~~Community Advancement~~ Recreation and Human Services” and to replace the one clause reading “Deputy Commissioner of Recreation and Youth Services” with “Deputy Commissioner of ~~Community Advancement~~ Recreation and Human Services”.

Section 5. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Ordinance No. 2020-316
(Int. No. 366, as amended)

Amending the Municipal Code and 2020-21 Budget with respect to the Department of Recreation and Youth Services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Municipal Code of the City of Rochester, as amended, is hereby further amended in sections and subsections 30-3, 60-8(B), 60-21(B), 62-8(B), 79-1(B), 79-18(A), 91-2, 111-28(B), and 111-28(K) thereof, by deleting the words “Commissioner of Recreation and Youth Services” in each place that they appear therein, and by inserting in their place the words “Commissioner of ~~Community~~ Advancement Recreation and Human Services”.

Section 2. The Municipal Code of the City of Rochester, as amended, is hereby further amended in §120-149(A)(10)(a)[3] thereof by deleting the words “Department of Recreation and Youth Services” and by inserting in their place the words “Department of ~~Community~~ Advancement Recreation and Human Services”.

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by deleting the words “Department of Recreation and Youth Services” in every instance and by inserting in their place the words “Department of ~~Community~~ Advancement Recreation and Human Services”.

Section 4. This ordinance shall take effect upon the effective date of the Local Law amending the City Charter with respect to the name of the Department of Recreation and Youth Services, which is introduced with this ordinance.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

The meeting was adjourned at 8:08 p.m.

HAZEL L. WASHINGTON
City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

November 10, 2020

Due to the social distancing and other health and safety measures necessary to slow the progress of the COVID-19 pandemic and in accordance with emergency Executive Orders issued by the Governor and Local Emergency Orders issued by the Mayor, the meeting was conducted via video conferencing on Zoom and streamed live for public viewing on the Internet via the Council's Facebook and YouTube pages and on City 12, the City's government access channel that is available to Spectrum Cable subscribers – Channel 1303.

Present –President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Meléndez, Patterson, Peo – 9.

President Scott requested the Council to pause for a Moment of Silence.

Pledge of Allegiance to the Flag of the United States of America.

Retirement:

DES:

*Thomas Cikatelli

FIN:

*Michelene Marvin

*Roslyn Phillips

LAW:

*Scott Smith

NBD:

*Glenda Walker

*Jeffrey West

RFD:

*Aylln Borrino

*Thomas Byrnes

*Richard McQuilkin

*Robert Zorn

*

RPD:

*Michael Callari

*Michael Jennings

*Jeffery Koehn

*Edward McDonald

RPL:

*Denise Enders

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Gruber

RESOLVED, that the minutes of the Regular Meeting on October 13, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

THE CITY CLERK---THE FOLLOWING DOCUMENTS ARE HEREBY DIRECTED TO BE RECEIVED AND FILED:

The Mayor submits the following:

Quarterly Report – Delinquent Receivables– September 30, 2020 - 4331-20
Administrative Cancellation or Refund of Erroneous Taxes and Charges – October 2020 – 4332-20

The Council submits Disclosure of Interest Forms from Vice President Lightfoot on Int. No. 378, Councilmember Gruber on Int. No. 391, Councilmember Meléndez on Int. No. 379 and Councilmember Patterson on Int. No. 378.

THE COUNCIL PRESIDENT --- PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Harris presented a petition with 19 signatures related to quality of life issues on Cady St. Petition No. 1773

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

NO PUBLIC HEARINGS.

THE COUNCIL PRESIDENT --- INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

Councilmember Evans moved to introduce Int. No. 396.

Councilmember Gruber seconded the motion.

Motion passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-37
Re: Confirmation of the Executive Director of the Police Accountability Board

Transmitted herewith for your approval is a resolution confirming, as required by the City Charter, the appointment of Conor Dwyer Reynolds as the Executive Director of the Police Accountability Board.

A copy of his résumé is on file in the City Clerk’s office.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2020-37
(Int. No. 396)

Resolution confirming the appointment of the Executive Director of the Police Accountability Board

WHEREAS, the Police Accountability Board has appointed Conor Dwyer Reynolds to the position of Executive Director, subject to confirmation by the City Council pursuant to City Charter §18-6C(1), and

WHEREAS, Council has reviewed the qualifications of the appointee and determined that he has the ability and qualifications to execute the duties and responsibilities of the office.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Rochester hereby confirms the appointment of Conor Dwyer Reynolds to the position of Executive Director of the Police Accountability Board.

This Resolution shall take effect immediately.

Adopted unanimously.

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Evans
November 10, 2020

To the Council:

The **FINANCE COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 373 Authorizing a professional services agreement for the Employee Assistance Program
- Int. No. 374 Establishing maximum compensation for a professional services agreement for a Drug and Alcohol Testing Program
- Int. No. 375 Authorizing an agreement for employee recruitment and applicant tracking software and services
- Int. No. 376 Authorizing an agreement to upgrade the City’s enterprise process and system solution for employee scheduling, time and attendance
- Int. No. 377 Authorizing the cancellation or refund of erroneous taxes and charges
- Int. No. 378 Authorizing funding agreement and budget amendments for the Financial Empowerment Center Initiative
- Int. No. 379 Authorizing agreements relating to small business and entrepreneur support

The following entitled legislation is being **HELD** in Committee:

- Int. No. 394 Local Law amending the City Charter to establish an Office of Inspector General

Respectfully submitted,
Malik Evans
LaShay D. Harris
Michael A. Patterson
Willie J. Lightfoot
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-317
Re: Agreement – Employee Network, Inc., Employee Assistance Program

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$88,776 as maximum total compensation for a three-year agreement with the Employee Network, Inc. (Gene Raymondi, Chief Executive Officer), of Vestal, New York, to provide services for the City’s Employee Assistance Program (EAP). The term of this agreement will be from January 1, 2021 through December 31, 2023 and the approximate cost of \$29,592 per calendar year will be financed from the 2020-21 Budget of Undistributed Expenses and subsequent budgets, contingent on their approval.

The employee assistance program provides professional support services to employees whose job performance is affected by factors such as legal, financial and marital difficulties, emotional instability, alcoholism, and drug addiction. Non-uniformed City employees (1,487 people) and their families are eligible for participation. Uniformed Police and Fire employees are covered through their own programs.

Employee Network, Inc. was selected through a request for proposals process, as described in the attached summary. Critical to selection was the ability to meet the following criteria:

- The EAP line is staffed 24 hours a day, 365 days a year by mental health professionals with a Master's level degree or higher, which affords our employees direct access to trained counselors;
- The firm has a national provider network of over 40,000 credentialed counselors; and
- The firm offers state-of-the-art technological resources including web-based services, such as a mobile app and a personal assistant service for our employees to use to achieve and maintain a healthy work/life balance.

Employee Network, Inc. has provided EAP services for City employees since 2015 and will continue to provide counseling and referral services to eligible employees and their family members as appropriate. The firm will also conduct training programs for City personnel and supervisors through in-person and online training as required or as requested.

During calendar year 2019, Employee Network, Inc. provided services for 271 employees and their family members and 23 people utilized their personal assistant service. These numbers show that a total of 20% of the eligible workforce used EAP, which exceeds the national average of 3% to 6%.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-183

Ordinance No. 2020-317
(Int. No. 373)

Authorizing a professional services agreement for the Employee Assistance Program

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 in the maximum amount of \$88,776 with Employee Network, Inc., to provide services for the City's Employee Assistance Program. The term of the agreement shall be three years. The compensation of \$29,592 for the first year of the agreement shall be funded from the 2020-21 Budget of Undistributed Expenses and \$29,592 annually for each of the remaining two years from future years' Budgets of Undistributed Expenses, contingent upon approval.

Section 2. This agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-318
Re Agreement – Energetix Corporation, Drug and Alcohol Testing Services

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$192,660 as maximum total compensation for a three-year agreement with Energetix Corporation (Susan Lobsinger, President) of Centereach, New York, for drug and alcohol testing services. The term of this agreement will be from January 1, 2021 through December 31, 2023 and the approximate cost of \$64,220 per calendar year will be financed from the 2020-21 Budget of Undistributed Expenses and subsequent budgets, contingent on their approval.

Energetix Corporation has provided drug and alcohol testing services for the City since 2012 and will continue to provide, as required by the Omnibus Transportation Employee Testing Act, random, follow-up and post-accident testing for drugs and alcohol for employees whose duties require the possession of a commercial driver's license, and drug and alcohol testing of Emergency Communications Department employees, as required by the AFSCME collective bargaining agreement. Additionally, pre-employment testing will be performed for all new hires with the City, in addition to pre-employment testing for Police Officer and Firefighter candidates.

In accordance with Ordinance No. 2020-126, under this agreement tetrahydrocannabinol (THC), a compound found in marijuana, will continue not to be included in the controlled substances tested for in pre-employment drug tests, with the exception of positions required to hold a commercial driver’s license and those related to public safety.

Energetix Corporation was selected through a request for proposals process, as described in the attached summary, based on their competitive pricing structure and ease of access to collection sites.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-184

Ordinance No. 2020-318
(Int. No. 374)

Establishing maximum compensation for a professional services agreement for a Drug and Alcohol Testing Program

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 in the maximum amount of \$192,660 with Energetix Corporation, to provide drug and alcohol testing for pre-employment and New York State Department of Transportation compliance testing and reporting. The term of the agreement shall be from January 1, 2021 through December 31, 2023. The compensation of \$64,220 for the first year of the agreement shall be funded from the 2020-21 Budget of Undistributed Expenses and \$64,220 annually for each of the remaining two years shall be funded from future years’ Budgets of Undistributed Expenses, contingent upon approval.

Section 2. This agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-319
Re: Agreement – GovernmentJobs.com, Inc., Recruitment and Applicant Tracking Software and Services

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$165,495 as total maximum compensation for an agreement with GovernmentJobs.com, Inc., (Shane Evangelist, CEO) of El Segundo, California, to provide recruitment and applicant tracking software and services. The term of the agreement will be for three years with one three-year renewal option. The cost of this agreement includes an initial implementation service fee of \$28,995 and annual subscription fees of \$45,500 and will be funded from the 2020-21 (\$74,495), 2021-22 (\$45,500) and 2022-23 (\$45,500) Budgets of the Department of Human Resource Management, contingent upon approval.

GovernmentJobs.com, Inc. will provide a software solution to replace and enhance the City’s current recruitment, selection, applicant tracking, and reporting and analysis system while ensuring conformance with New York State Civil Service requirements. Additional services which will be provided under this agreement include: the development of bidirectional integrations with Workday (the City’s payroll and personnel system); the migration of active Civil Service data from the City’s current applicant tracking system; the training of City end users on the software’s functionality as well as future enhancements and new versions of the software; and the ability for individuals to pay for Civil Service Examination fees online with either a credit or debit card.

GovernmentJobs.com, Inc. was selected to provide these services because of their exclusive focus on providing applicant tracking service to public sector agencies which possess similar system requirements as the City.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-185

Ordinance No. 2020-319
(Int. No. 375)

Authorizing an agreement for employee recruitment and applicant tracking software and 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 GovernmentJobs.com, Inc. to provide employee recruitment and applicant tracking software and services. The term of the agreement shall be 3 years with the option to renew for one additional term of 3 years. The maximum compensation for the first three years shall be \$165,495, which shall be funded in the amounts of \$74,495 from the 2020-21 Budget of the Department of Human Resource Management (DHRM), \$45,500 from the 2021-22 Budget of DHRM and \$45,500 from the 2022-23 Budget of DHRM, contingent upon the approval of the latter two budgets. The maximum compensation for the subsequent 3-year term, if so opted for, shall be \$136,500, which shall be funded in the amounts of \$45,500 from each of the 2023-24, 2024-25, and 2025-26 Budgets of DHRM, contingent upon the approvals thereof.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-320
Re: Agreement – UKG Inc. Enterprise Process and System Solution for Scheduling, Time and Attendance Upgrade

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$50,000 as total maximum compensation for an agreement with UKG Inc. (Aron Ain, CEO) of Lowell, Massachusetts and Weston, Florida, for the implementation of an upgrade to the City’s enterprise process and system solution for scheduling, time and attendance. The term of the agreement will be for one year and will be funded from the 2020-21 Budget of the Department of Human Resource Management.

UKG Inc., formerly Kronos Incorporated, has served as the City’s enterprise process and system solution for scheduling, time and attendance since 2018, when it replaced a legacy system which required manual processes for time entry, attendance tracking and reporting. This agreement will allow for the migration from the existing Kronos perpetual software licenses to Kronos Workforce Dimensions.

The benefit of moving to Kronos Workforce Dimensions is that the City will be moving from an on-premise version of Kronos to a cloud hosted version. This cloud hosted version will provide for automatic updates, which are included in our existing subscription fees, and will not require additional Kronos resources, for which we are currently paying approximately \$45,000 every twelve to eighteen months for. By using this subscription model, the City will be utilizing the latest version of the software and will eliminate the need for remote access to Kronos through VPN or Remote Desktop, as this solution will be hosted in the cloud. Automatic backups will be included for which the City is currently required to purchase backup servers, storage and licenses. Finally, our current version of Kronos will be at the end of its life cycle in two years, at which time we will be required to move to Workforce Dimensions.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-320
(Int. No. 376)

Authorizing an agreement to upgrade the City’s enterprise process and system solution for employee scheduling, time and attendance

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 in the maximum amount of \$50,000 with UKG Inc., for the implementation of an upgrade to the City’s enterprise process and system solution for employee scheduling, time and attendance. The term of the agreement shall be one year and shall be funded from the 2020-21 Budget of the Department of Human Resource Management.

Section 2. This agreement shall contain additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-321
Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$9,259.91.

There were six properties sold at the City of Rochester’s Tax Foreclosure Auction on November 13, 2019. All the Code Enforcement and Rehabilitation Charges were valid prior to the auction date and were supposed to be either paid or cancelled prior to the transfer to the new owner. However, they were not billed until after the auction date and were unpaid by March 15, 2020. Therefore, they were added to the 2020-21 tax bill.

If these cancellations are approved, total cancellations thus far for 2019-20 will be as follows:

	<u>Accounts</u>	
City Council	129	\$559,876.36
Administrative	<u>10</u>	<u>\$4,435.32</u>
Total	139	\$564,311.68

These cancellations represent 0.2063% of the tax receivables as of July 1, 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-186

Ordinance No. 2020-321
(Int. No. 377)

Authorizing the cancellation or refund of erroneous taxes and charges

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City Treasurer is authorized to cancel the following taxes and charges:

S.B.L. #	Class	Address	Tax Year	Cancelled
106.30-4-72	H	22 Roth Street	2021	\$1,450.00
105.27-1-24	H	166 Glenwood Av	2021	\$1,352.72
105.75-2-80.1	H	382 Saxton Street	2021	\$1,183.00
106.60-4-19.3	N	143-147 Webster Av	2021	\$2,844.38
120.34-2-36.1	H	72 Eddy Street	2021	\$1,401.78
106.43-2-14	H	299 First Street	2021	\$1,028.03
GRAND TOTAL				\$9,259.91

The properties listed above were sold at the City of Rochester’s Tax Foreclosure Auction on November 13, 2019. All the Code Enforcement and Rehabilitation charges were valid prior to the auction date and were supposed to be either paid or cancelled prior to the transfer to the new owner. However, the pre-auction charges were mistakenly billed to each of the properties after the auction date and, when they were unpaid by March 15, 2020, they were added to the 2020-21 tax bill.

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-322
Re: Agreement – REDCO, Rochester Financial Empowerment Center Initiative, and Budget Amendment

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation amending the 2020-21 Budget of the Office of the Mayor by \$100,000 to reflect the balance of carryover funds from an existing grant, and the receipt of new funds from REDCO. This legislation will:

1. Authorize an agreement with the Rochester Economic Development Corporation, 55-57 St. Paul Street, Rochester, New York (Bayé Muhammad, CEO), for the receipt and use of \$50,000, and amend the 2020-21 Budget of the Office of the Mayor to reflect the funding.
2. Amend the 2020-21 Budget of the Office of the Mayor by \$50,000 to reflect carry over funding from JPMorgan Chase, which was initially authorized by Council via Ordinance No. 2019-109.

Due to the need for financial institutions to donate program funding to a qualified non-profit agency to receive community development credit under the Community Reinvestment Act, Rochester Economic Development Corporation agreed to serve as fiscal sponsor for the City of Rochester and accept funding for the FEC initiative. This relationship was formalized via resolution at the July 18, 2019 meeting of the Rochester Economic Development Corporation Board of Directors.

The Rochester Financial Empowerment Centers Initiative launched in February 2020 and offers free, professional, one-on-one financial counseling as a public service to Rochester residents without qualification. Highly-trained financial counselors work with clients to drive positive financial outcomes related to banking access, savings and asset building, access to safe and affordable credit, and debt reduction. Counselors have continued to safely provide services to over 500 community members through tele-counseling, and continue to engage with key community partners.

Day-to-day operations of the financial counselors are performed by Consumer Credit Counseling Service of Rochester under a Professional Services Agreement with the City of Rochester, authorized in Ordinance No. 2019-248 at the August 2019 City Council meeting.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-322
(Int. No. 378)

Authorizing funding agreement and budget amendments for the Financial Empowerment Center Initiative

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 Rochester Economic Development Corporation (REDCO) for the receipt and use of \$50,000 for the Financial Empowerment Center Initiative (the Initiative).

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended to increase the Budget of the Office of the Mayor by \$100,000, which amount is hereby appropriated for the Initiative and consists of \$50,000 from REDCO as authorized in Section 1 herein and \$50,000 from a portion of the JPMorgan Chase Foundation funds authorized in Ordinance No. 2019-109.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-323
Re: Agreements – Urban League of Rochester Inc. and IBERO-American Action League Inc., Small Business and Entrepreneurship Support

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation to establish agreements for Small Business and Entrepreneurship support. This legislation will:

1. Establish \$11,350 as maximum compensation for an agreement with the Urban League of Rochester Inc., 265 N. Clinton Avenue, Rochester, NY (Dr. Seanelle Hawkins, President and CEO) to provide services related to small business and entrepreneurship support. The term of this agreement will be one year and will be funded from the 2020-21 Budget of the Office of the Mayor.
2. Establish \$11,350 as maximum compensation for an agreement with IBERO-American Action League Inc., 817 East Main Street, Rochester, NY (Angelica Perez-Delgado, President and CEO) to provide services related to small business and entrepreneurship support. The term of this agreement will be one year and will be funded from the 2020-21 Budget of the Office of the Mayor.

The above agencies will collaborate with the Office of Community Wealth Building to develop culturally-relevant marketing and eCommerce platforms the agencies will subsequently administer in service to underserved small business constituents. This is the final component of the City Accelerator Initiative grant, received by the City via Ordinance No. 2018-222. "The City Accelerator is an initiative led by Living Cities and supported by the Citi Foundation that helps to accelerate the adoption of such innovations" to address economic inequality and infrastructure issues within and across local governments, disproportionately impacting residents with low to moderate incomes. For more information: <https://www.governing.com/cityaccelerator/about>.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-323
(Int. No. 379)

Authorizing agreements relating to small business and entrepreneur support

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with the Urban League of Rochester, N.Y., Inc. to provide services relating to a small business and program and entrepreneurship support program (the Program). The maximum compensation for the agreement shall be \$11,350, which shall be funded from the 2020-21 Budget of the Office of the Mayor. The term of the agreement shall be one year.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Ibero-American Action League, Inc. to provide services relating to the Program. The maximum compensation for the agreement shall be \$11,350, which shall be funded from the 2020-21 Budget of the Office of the Mayor. The term of the agreement shall be one year.

Section 3. The agreements shall contain such other terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo -8

Nays – None -0

Councilmember Meléndez abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

INTRODUCTORY NO. 394
Re: Charter Amendment - Office of Inspector General Legislation

Transmitted herewith for your approval is legislation amending the City Charter to create an Office of Inspector General (OIG). The OIG will be authorized to conduct a program of investigations, audits, and reviews to provide increased accountability and oversight and to assist in improving City operations and identifying fraud, waste, and illegal acts. The proposed legislation establishes the OIG's scope of jurisdiction to

include all City elected officials and employees within the Executive and Legislative branches of City government, to include the Rochester Police Department.

This legislation was drafted in coordination with consultants from Bloomberg Associates and based on best practices recommended by the Association of Inspectors General (AIG). The AIG's guiding principles and standards are set forth in their *Principles and Standards for Offices of Inspectors General*, commonly known as the "Green Book" which is attached for reference.

The proposed legislation addresses a number of critical issues referenced by the AIG to include the Inspector General's (IG's) independence and powers.

Independence

Article 6C-3 requires the IG to be appointed to a fixed term of five years. The IG may be removed only for misconduct, or malfeasance in office after a public hearing.

Article 6C-7 authorizes the IG to exercise independent judgment in determining matters to investigate and prohibits the Mayor, City Council or other City employees from obstructing an investigation, audit, or review.

Article 6C-12 prevents the IG from engaging in any political activity except as otherwise authorized by the law, to include membership on a political committee, participating in a political campaign, or attending political fundraising events.

These sections reflect an increased level of independence in both fact and appearance and act as safeguards against undue influence.

Article 6C-3 creates a fixed term of office for the IG which requires a referendum vote, to be held November 3, 2020 during the general election, in accordance with General Municipal Law, Section 23. This is required since the local law curtails the power of the Mayor to remove an employee.

Powers

Article 6C-5 establishes the powers of the JG to gain access to records from City employees, those who do business with the City, and those who receive City funds. In addition, it authorizes the IG to take sworn testimony, compel the attendance of witnesses, and subpoena relevant records which are critical to effectively resolve a/legations of wrongdoing.

With regard to the powers of the IG to compel witnesses and require the production of records, under the City Charter Section 6A, the Office of Management and Budget (OMB) has many of these powers.

As described in the attached AIG standards manual, the AIG conducts onsite assessments to determine whether an OIG meets Green Book standards. Subsequent to the passing of the legislation, the City of Rochester will request the AIG to conduct a peer review of its office to identify areas for improvement as well as best practices utilized by the IG community.

The creation of a City OIG will continue our efforts to promote integrity in City government and maintain the trust of those we serve.

Respectfully submitted,
Lovely A. Warren
Mayor

INTRODUCTORY NO. 394

Local Law amending the City Charter to establish an Office of Inspector General

BE IT ENACTED, by the Council of the City of Rochester as follows:

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by adding a new article, Article VIC, Office of the Inspector General, to read in its entirety as follows:

Article VIC. Office of Inspector General

§6C-1. Office of Inspector General

There shall be an Office of Inspector General, the head of which shall be the Inspector General. The Office is authorized to conduct a program of investigations, audits, inspections and performance reviews to provide increased accountability and oversight and to assist in improving City operations and deterring and identifying fraud, waste, and illegal acts. The Office's scope of jurisdiction shall include all City elected officials, employees, and departments within the Mayoral and Council branches of City government, including the Rochester Police Department.

§6C-2. Appointment

The Inspector General shall be appointed by the Mayor subject to confirmation of Council in accordance with §3-3D of the City Charter. The Inspector General shall be appointed without regard to political affiliation and on the basis of integrity, and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, investigation, or criminal justice administration or other closely related fields. The Inspector General shall report directly to the Mayor but shall be operationally independent and no City officer or employee

shall prevent, impair, or prohibit the Inspector General from initiating, carrying out, or completing any audit, investigation or review. The position of Inspector General shall be the equivalent of a Commissioner for all purposes of this Charter.

§6C-3. Term of office

The Inspector General shall be appointed for a term of five (5) years. The Inspector General may be removed from office by the Mayor during his or her term only for misconduct, or malfeasance in office after being served with written charges and after a public hearing held by the Mayor or a hearing officer appointed by the Mayor, with an opportunity to be heard.

§6C-4. Duties of the Inspector General

The Office of Inspector General is authorized to engage in the following specific functions:

- A. Conduct any investigation directed by the Mayor, City Council, or at the discretion of the Inspector General.
- B. Audit, evaluate, investigate, and inspect the activities and records of any City department to include the Rochester Police Department, City Council, any board or commission, and any person or entity doing business with the City or that receives funds from the City with regard to that entity or person's transaction with the City. The Inspector General shall not be authorized to audit, evaluate, investigate and inspect the activities and records of any other municipal corporation, public authority or agency of the State or Federal Government.
- C. Conduct potential criminal investigations and administrative investigations into allegations of wrongdoing involving individuals and agencies within the scope of its jurisdiction.
- D. Audit the economy, efficiency, and effectiveness of City operations and functions.
- E. Recommend remedial actions to be taken by City departments in response to an audit, review or investigation and monitor their implementation.
- F. Refer matters for further administrative and criminal action to appropriate law enforcement, administrative, and prosecutorial agencies.

§6C-5. Powers of the Inspector General

The Inspector General shall have the following powers:

- A. Shall have access, at all reasonable times, to offices of the City departments, boards and commissions.
- B. May examine all books, papers, records and documents in any such department, board or commission or any person or entity doing business with the City, or any person or entity who receives funds from the City.
- C. May require any City officer or head of a department, board or commission and any person or entity doing business with the City or that receives funds from the City with regard to that entity or person's transaction with the City, to furnish such data, information or statements as may be necessary, unless prohibited or limited by law.
- D. May take and hear proof and testimony, administer oaths, subpoena and compel the attendance of witnesses and compel the production of books, papers, records and documents.

§6C-6. Expert services

Within the amounts budgeted for said purpose, the Inspector General may enter into professional services agreements with Certified Public Accountants, qualified consultants, or other professional experts necessary to independently perform the functions of the office, in amounts not to exceed \$10,000 in a fiscal year with any consultant, without further approval from City Council.

§ 6C-7. Independent authority

The Inspector General shall investigate matters at the direction of the Mayor or City Council but shall also be authorized to exercise independent judgment in determining which matters to investigate. The Mayor, City Council or other City employees shall not obstruct the Inspector General from initiating, carrying out, or completing any audit, investigation or review.

§ 6C-8. Public records

Inspector General audit and investigation reports shall be public records as provided in Article 6 of the Public Officers Law. The Inspector General shall maintain the confidentiality of any public records that are made confidential by law.

§ 6C-9. Reports of investigations and audits

When an investigation or audit has been completed, the Inspector General is authorized to report the findings thereof to the head of any City agency that is the subject of those findings, Corporation Counsel, and to the Mayor. Agency heads shall be given the opportunity to respond in

writing. The Inspector General is also authorized to report any findings that involve possible criminal activities to the appropriate law enforcement agencies. The IG is required to keep all matters confidential to the extent permitted by law.

The IG shall provide an annual report to the Mayor and City Council of its activities, and any additional reports that the IG deems necessary.

§ 6C-10. Duties of other individuals, agencies, and entities

- A. City employees and any other person or entity doing business with the City, have a duty to report suspected fraud, waste, and abuse to the Office of Inspector General.
- B. City departments shall not conduct their own investigations and must refer suspected fraud, waste, and abuse to the Office of Inspector General.
- C. City departments must respond in writing to Office of Inspector General reports to address findings and confirm any corrective actions taken by the department.
- D. Office of Inspector General reports and related documentation should remain confidential to the extent permitted by law.

§ 6C-11. Whistleblower Protection

The City shall not take any adverse personnel action against an employee because such employee discloses a violation of a law, rule or regulation or which constitutes an improper governmental action, as provided in Section 75-b of the Civil Service Law.

§ 6C-12. Political activities prohibited.

The Inspector General shall not directly or indirectly engage in any political activity except as otherwise authorized by this section or by law. The Inspector General may vote and enroll himself or herself as a voter as a member of a political party, or advocate on behalf of measures to improve the law, the legal system or the administration of justice. Prohibited political activity shall include:

- A. Being a member or officer of a political committee or political party, or any other group the principal purpose of which is to further the election or appointment of candidates to political office, other than voter enrollment in a political party;
- B. Participating in any political campaign for any elected office or permitting his or her name to be used in connection with any activity of a political campaign or committee, or publicly endorsing or publicly opposing a candidate for public office; or
- C. Soliciting funds for or making a contribution to a political committee or candidate, or purchasing tickets for politically sponsored events.

Section 2. The City Charter is hereby further amended to delete Section 3-13, Director of the Office of Public Integrity, in its entirety.

Section 3. The City Charter is hereby further amended in the second paragraph of Section 3-1, Mayor, to read in its entirety as follows:

There shall be in the office of the Mayor a Bureau of Communications, the head of which shall be Director of Communications; an Office of Inspector General ~~Public Integrity~~, the head of which shall be the Inspector General ~~Director of the Office of Public Integrity~~; and such other operating or staff units as may be deemed necessary by the Mayor to effectively administer City affairs, programs or projects that may from time to time be required.

Section 4. The City Charter is hereby further amended in Subsection G(1) of Section 2-18, Code of Ethics, by amending the list of officials required to file financial disclosure statements to delete the job title of "Director of the Office of Public Integrity" and replace it with the title of "Inspector General."

Section 5. The City Charter is hereby further amended in the last paragraph of Attachment 1, Statement of Financial Disclosure, to read in its entirety as follows:

PLEASE RETURN TO:
INSPECTOR GENERAL ~~SECRETARY OF THE BOARD OF ETHICS~~ OFFICE OF INSPECTOR GENERAL ~~PUBLIC INTEGRITY~~
85 ALLEN STREET, SUITE 100 ROCHESTER, NEW YORK 14608 FAX: 585-428-7972

Section 6. This local law shall be submitted for the approval of the electors at the general election to be held on November 2, 2021 and shall take effect immediately upon certification of its approval by the affirmative vote of a majority of the qualified electors voting on said proposition.

Strikeout indicates deleted text, new text is underlined.

HELD IN COMMITTEE

By Councilmember Patterson
November 10, 2020

To the Council:

The **NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 380 Authorizing the sale of real estate
- Int. No. 382 Amending Ordinance No. 2020-293 in relation to the L2P Westside Housing Project
- Int. No. 395 Authorizing the sale of City-owned parcels, a \$1,000,000 Home loan, and a payment in lieu of taxes agreement for the CDS Clifford and Joseph Apartments Project

The following entitled legislation is being **HELD** in Committee:

- Int. No. 381 Authorizing and funding an agreement relating to Land Management Software Acquisition and Implementation

Respectfully submitted,
 Michael A. Patterson
 Mary Lupien
 Miguel Meléndez
 Willie J. Lightfoot
 Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed, and published

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-324
 Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation approving the sale of six properties. City records have been checked to ensure that purchasers (except those buying unbuildable vacant lots) do not own other properties with code violations or delinquent taxes (unless noted), and have not been in contempt of court or fined as a result of an appearance ticket during the past five years. The properties are listed on the attached spreadsheet under the heading, I. Negotiated Sale – Unbuildable Vacant Land. Each is being sold for \$1.00 (as per City policy). The first, second and third lots – 982 Avenue D, the south portion of 747 Hudson Avenue and the east portion of 189-193 Kirkland Road, are being sold to the adjoining owners and will be used as additional green space.

The fourth lot, which is the west portion of 5 Lamont Place, is being sold to the adjoining owner of the two parcels to the west and north in order to resolve a title issue. An encroachment onto the City-owned parcel will be cured when title is vested in the owner’s name.

The fifth lot, which is the west portion of 21 Mineola Street is being sold to the owner of the adjoining parcel. The owner intends to combine their existing lot with the west portion of the City lot and construct a single-family home for owner occupancy.

The sixth lot, 119 Otis Street, is being sold to the adjoining owner and will be used as additional green space.

Each of these will be combined with the primary parcel owned by the identified adjoining owner. The first year projected tax revenue for these six properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$750. City taxes and other charges, except water charges against properties being sold by the City, will be canceled on the first day of the month following adoption of the ordinance because either the City has agreed to convey the properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-187

Ordinance No. 2020-324
(Int. No. 380)

Authorizing the sale of real estate

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the negotiated sale with proposal of the following vacant unbuildable parcels of land for \$1 each:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
982 Ave D	091.81-2-42.3	18 x 112	2,063	Francisco D. Gonzalez
South Portion 747 Hudson Ave	106.25-1-31	15 x 94	1,410	Eric J. Young
East Portion 189-193 Kirkland Rd	120.57-3-42.1	20 x 81	1,620	Quinn P. Doubet
West Portion 5 Lamont Pl	106.60-3-21	33 x 39	1,221	Michael Faggiano
West Portion 21 Mineola St	135.57-2-32.2	46 x 20	920	Nelson R. DeLong
119 Otis St	105.57-4-1	30 x 47	1,441	ROC City Rentals, LLC

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-325
Re: Technical Amendment – Ordinance No. 2020-293, L2P Westside Affordable Housing Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Rochester 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance No. 2020-293 to correct minor errors in the property address details for the acquisitions associated with the L2P Westside Affordable Housing Project. L2P Westside (“Lease to Purchase”) is a new construction project, a mixed-use, low-income housing project consisting of multiple sites located in the Southwest quadrant being undertaken by the Urban League of Rochester Economic Development Corporation (ULREDC) (Carolyn Vitale, Vice-President and COO), 312 State Street, Rochester, NY. The City is selling 39 parcels to ULREDC, or an affiliated Housing Development Corporation, in order to build 41 single-family properties for households at or below 60% Median Family Income (MFI).

The changes are detailed below:

Original Property Address	Original SBL	Revised Property Address	Revised SBL
173 Bartlett St	120.67-3-10	173-173.5 Bartlett Street	NA
184-186 Bartlett St	120.67-2-4.001	NA	120.67-2-74
414 Columbia St	120.67-3-50	414-416 Columbia Street	NA
15 Elgin St	120.27-1-22.001	15-19 Elgin Street	135.27-1-22.001
33 Elgin St	120.27-1-24.001	NA	135.27-1-24.001
281 Jefferson Ave	120.51-2-14.001	281-283 Jefferson Ave	NA
49-51 Reynolds St	120.44-1-71.001	49-51.5 Reynolds St	NA

All other terms and conditions approved in Ordinance No. 2020-293 remain the same.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2020-325
 (Int. No. 382)

Amending Ordinance No. 2020-293 in relation to the L2P Westside Housing Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Section 1 of Ordinance No. 2020-293, authorizing the sale of City-owned parcels and a payment in lieu of taxes agreement for the L2P Westside Housing Project, is hereby amended to read as follows:

Section 1. The Council hereby approves the sale of the following parcels of land at the following appraised values to the Urban League of Rochester Economic Development Corporation (ULREDC) or an affiliated partnership or housing development fund corporation formed for the purpose (the Developer) to develop the L2P (“Lease to Purchase”) Westside project comprised of a variety of new low-income rental units on scattered sites throughout the city’s Southwest Quadrant that, after 15 years, may be purchased by their tenants by means of affordable mortgages (the Project):

Address	Parcel Number	Sales Price
392 Aberdeen St	120.72-2-19	\$ 425.00
202 Atkinson St	120.44-2-57	\$ 425.00
26 Bartlett St	121.6-1-30	\$ 425.00
120 Bartlett St	120.68-1-72	\$ 425.00
173-173.5 Bartlett St	120.67-3-10	\$ 425.00
177-179 Bartlett St	120.67-3-8.001	\$ 500.00
180-182 Bartlett St	120.67-2-75	\$ 450.00
184-186 Bartlett St	120.67-2-74.001 <u>120.67-2-74</u>	\$ 450.00
28 Cady St	121.53-1-81.001	\$ 450.00
186 Cady St	120.59-1-52.001	\$ 600.00
96 Chili Ave	120.50-1-77	\$ 600.00
363 Columbia Ave	120.75-1-31	\$ 425.00
414-416 Columbia Ave	120.67-3-50	\$ 425.00
189 Cottage St	135.28-2-15	\$ 425.00
73 Dr. Samuel McCree Way	121.53-1-6	\$ 425.00
215 Dr. Samuel McCree Way	120.59-1-10.001	\$ 500.00
15-19 Elgin St	120.27-1-22.001 <u>135.27-1-22.001</u>	\$ 500.00
33 Elgin St	120.27-1-24.001 <u>135.27-1-24.001</u>	\$ 525.00
101 Frost Ave	121.61-1-16	\$ 450.00
107 Frost Ave	121.61-1-15	\$ 450.00
128 Frost Ave	121.53-3-36	\$ 475.00
134 Frost Ave	121.53-3-37	\$ 475.00
151-153 Frost Ave	121.61-1-6.001	\$ 500.00
278 Jefferson Ave	120.44-1-50.001	\$ 475.00
281-283 Jefferson Ave	120.51-2-14.001	\$ 450.00
180 Kenwood Ave	120.58-2-75	\$ 450.00
300 Kenwood Ave	120.66-1-59	\$ 450.00

189-193 Kirkland Rd	120.57-3-42.001	\$	475.00
21 Milton St	120.81-1-77	\$	475.00
227 Normandy Ave	120.65-1-40	\$	475.00
140 Post Ave	120.64-3-7	\$	450.00
49 – 51, <u>5</u> Reynolds St	120.44-1-71.001	\$	475.00
53 - 57 Reynolds St	120.44-1-72	\$	475.00
219 Reynolds St	120.68-1-38.001	\$	450.00
54 Seward St	121.53-1-42	\$	475.00
109 Seward St	121.53-3-46	\$	550.00
177 Sherwood Ave	120.64-3-21	\$	425.00
315 Sherwood Ave	120.72-2-20	\$	425.00
325 Troup St	120.44-1-21	\$	450.00
	Total:	\$	18,175.00

Section 2. Section 3 of Ordinance No. 2020-293, authorizing the sale of City-owned parcels and a payment in lieu of taxes agreement for the L2P Westside Housing Project, is hereby amended to read as follows:

Section 3. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT Agreement) with the ~~ULREDC~~ Developer for the parcels listed in Section 1 in order to effectuate the Project. This PILOT Agreement shall provide that said parcels shall remain entitled to a real property tax exemption, provided that the ~~ULREDC~~ Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-326
Re: CDS Clifford and Joseph Apartments Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to CDS Clifford and Joseph Apartments, an affordable and supportive rental housing community project for families and individuals. The project is being developed and will be owned by CDS Monarch, Inc. (CDS) (Sankar Sewnauth, President/CEO), with offices at 860 Hard Road, Webster, NY 14580. CDS Clifford and Joseph Apartments will be located at the southeast corner of Clifford and Joseph Avenues and on Maria Street in the CONEA Neighborhood in Northeast Rochester.

This legislation will:

1. Authorize the sale of twenty-three (23) parcels of City-owned land, at the south-east corner of Clifford and Joseph Avenues (see attached City-owned Parcel detail) at a total of \$20,700, their combined appraised values, to CDS Monarch, Inc., CDS Clifford Ave, LLC, or an affiliated partnership or housing development fund corporation to be formed by CDS. See attached list of City owned parcels and detail below.

Street #	Street Name	SBL #	Lot Size	S/F	Purchase Price
562-566	Joseph Ave	106.31-3-28	48X131	6,288	\$2,500
576-590	Joseph Ave	106.31-3-30.002	144x122	17,689	\$8,800
615	Clifford Ave	106.31-3-15	40x120	4,800	\$425

Street #	Street Name	SBL #	Lot Size	S/F	Purchase Price
621	Clifford Ave	106.31-3-16	42 x120	5,040	\$450
625	Clifford Ave	106.31-3-17	42 x120	4,848	\$425
1	Theodore St	106.31-3-18	40 x 124	4,984	\$425
2	Theodore St	106.31-3-19	40 x 124	4,766	\$425
3	Theodore St	106.31-3-20	40 x 124	5,097	\$450
4	Theodore St	106.31-3-21	40 x 125	4,920	\$425
14	Maria St	106.32-4-24	36 x102	3,972	\$400
16	Maria St	106.32-4-25	36x102	3,617	\$400
18	Maria St	106.32-4-26	35 x155	5,425	\$450
20	Maria St	106.32-4-27.001	53 x155	8,215	\$525
23	Maria St	106.32-4-41.001	46 X 120	5,553	\$450
24	Maria St	106.32-4-29.001	54 x155	8,370	\$525
25	Maria St	106.32-4-40.001	46x120	5,549	\$450
26	Maria St	106.32-4-30.001	64x150	9,600	\$550
29	Maria St	106.32-4-37.002	46x120	5,534	\$450
30	Maria St	106.32-4-32.001	65x100	6,500	\$475
31	Maria St	106.32-4-36.002	46x120	5,527	\$450
34	Maria St	106.32-4-34	33x70	2,310	\$400
35	Maria St	106.32-4-1.001	46x120	5,580	\$450
36	Maria St	106.32-4-2	33x70	2,310	\$400
				TOTAL	\$20,700

2. Authorize a \$1,000,000 HOME funded permanent loan agreement for the project, and appropriate the same amount from the Consolidated Plan/2020-21 Annual Action Plan, Affordable Housing Fund allocation to fund the loan. The permanent loan includes a 30 year term, and 2% interest-only, cash flow dependent payments due annually, with the outstanding principal balance and any accrued interest due at the end of the 30 year term.
3. Authorize a property tax exemption and payment-in-lieu of taxes agreement for the CDS Clifford Avenue Apartments Affordable Housing project, which will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs). See attached list of parcels.

Current Owner	Street #	Street Name	SBL #
City of Rochester	562-566	Joseph Ave	106.31-3-28
City of Rochester	576-590	Joseph Ave	106.31-3-30.002
City of Rochester	615	Clifford Ave	106.31-3-15
City of Rochester	621	Clifford Ave	106.31-3-16
City of Rochester	625	Clifford Ave	106.31-3-17
City of Rochester	1	Theodore St	106.31-3-18
City of Rochester	2	Theodore St	106.31-3-19
City of Rochester	3	Theodore St	106.31-3-20
City of Rochester	4	Theodore St	106.31-3-21
City of Rochester	14	Maria St	106.32-4-24

Current Owner	Street #	Street Name	SBL #
City of Rochester	16	Maria St	106.32-4-25
City of Rochester	18	Maria St	106.32-4-26
City of Rochester	20	Maria St	106.32-4-27.001
City of Rochester	23	Maria St	106.32-4-41.001
City of Rochester	24	Maria St	106.32-4-29.001
City of Rochester	25	Maria St	106.32-4-40.001
City of Rochester	26	Maria St	106.32-4-30.001
City of Rochester	29	Maria St	106.32-4-37.002
City of Rochester	30	Maria St	106.32-4-32.001
City of Rochester	31	Maria St	106.32-4-36.002
City of Rochester	34	Maria St	106.32-4-34
City of Rochester	35	Maria St	106.32-4-1.001
City of Rochester	36	Maria St	106.32-4-2
Antonio Garcia	570	Joseph Ave	106.31-3-29
CDS Monarch, Inc.	6	Theodore St	106.31-3-23.001

4. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein; and
5. Authorize the Mayor to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

The CDS Clifford and Joseph Apartments project includes the construction of seven buildings on three adjacent parcels totaling 214,229 square-feet. The project meets the guidelines in the City's Affordable Housing Policy as codified in section 10-11 of the City Code. All 164 units will be reserved for extremely low-income, very low-income, and low-income households, including 48 units set aside for special needs populations. The largest building will contain 94 units, a second will contain 20 units, and the remaining five buildings will have ten units each. This project will be comprised of 37 one-bedroom, 96 two-bedroom, 24 three-bedroom, and five (5) four-bedroom units. The development will provide 106 parking spaces, a commercial space, management and support services staff offices, a business/computer center, exercise room, and a community center. Rents include heat, hot water, and refuse services. Tenants will pay for electricity, cable, internet, and laundry.

The project includes 42 units targeted to households with incomes at or below 50% of AMI, 50 units targeted to households with incomes at or below 60% of AMI, and 16 units targeted to households with incomes at or below 80% of AMI. Eight (8) units will have project based vouchers, or section 8 rental subsidy, from the Rochester Housing Authority, and will be targeted to households between 0-50% of AMI. The 48 special needs housing units are set aside for individuals and families with mental illness and survivors of domestic violence, and rental subsidies and support services will be provided to these households. The development team has secured Empire State Supportive Housing Initiative (ESSHI) funding to subsidize the supportive services required by the special needs tenants and to provide those tenants with rental assistance.

The site includes 25 individual parcels, of which 23 are City-owned vacant land, and will be re-subdivided into three parcels. The privately owned properties include an automotive use on Joseph Avenue and a single family home on Theodore Street, both of which will be demolished. CDS has completed the purchase of one privately owned parcel, and will complete the purchase of the remaining privately owned parcel in October. The project has received Site Plan approval, and the abandonment of Theodore Street and Official Map Amendment were submitted to City Council for review during the October (2020) Council meeting. The re-subdivision will occur after all parcels are owned by CDS, anticipated for November 2020. The site is close to other investment and development efforts, such as the Pueblo Nuevo affordable housing development, La Marketa project, El Camino Estates 1 and 2, Mildred John Estates 1 and 2, and Upper Falls Square Apartments

CDS Monarch, Inc. is a non-profit organization that provides housing and supportive services to special needs populations across Upstate New York, and has been in existence for over 40 years. CDS currently owns and manages 27 group homes throughout Monroe County, and is the owner and developer of several affordable and integrated supportive multifamily housing developments in New York. Other development team members include consulting developer CSD Housing, LLC, management agent Rochester Management, Inc., architect and engineer Passero & Associates, and general contractor Christa Construction, LLC. This is the City's first project with CDS.

Willow Domestic Violence Center (Willow) and Mental Health Association of Rochester (MHAR) will provide supportive services for the tenants of the 48 special needs units. Willow will provide on-site services including counseling, court accompaniment, support groups, medical referrals, and education and training for parents and children that have experienced domestic violence. MHAR will provide on-site support services to tenants with mental illness including educational opportunities, referral services, case management and counseling, and life skills training. Participants can attend workshops for recovery, emotional skills development, budgeting and household skills, and general wellness

strategies. MHAR and Willow both collaborate with a variety of providers to ensure each client's needs are met, and will offer services specific to each individual situation.

The project is funded primarily with tax-exempt bonds, the proceeds from the sale of 4% low income housing tax credits (LIHTCs), deferred developer fee, and several "soft" sources of funds, including the NYS Supportive Housing Opportunities Program (SHOP) and the Federal Housing Trust Fund (FHTF). Total development cost is \$48.8 million, with \$36 million in hard construction costs, \$6 million in soft costs, and \$6 million in developer fee. The sources and uses for the project are summarized below:

Permanent Sources		Uses	
HFA 1st Mortgage	8,830,000	Acquisition Costs*	212,250
SHOP	11,174,482	Construction Costs	36,066,503
CIF	450,000	Soft Costs	6,152,811
City HOME Loan	1,000,000	Reserves and Escrows	382,887
Owner Loan	875,000	Developer Fee	6,000,000
4% LIHTCs	17,241,605	Total Uses	48,814,451
Federal HTF	7,622,135		
Deferred Developer Fee	1,621,229		
Total Sources	48,814,451		

*Acquisition costs include, but are not limited to, real estate sold by the City of Rochester.

CDS Clifford is anticipated to close on project funding and begin construction in December 2020. Workforce goals for the project are 6.9% women and 20% minorities and 25% City residents, along with a combined goal of 30% for MBE/WBE firms.

The loan was approved by the Loan Review Committee at their meeting on October 28, 2020, and the PILOT was recommended for approval by the PILOT Review Committee on October 1, 2020. A National Environmental Policy Act or NEPA review is underway and will be completed prior to entering into any agreements for the CDS Clifford and Joseph Apartments project. SEQR review has been completed, and a Negative Declaration was issued for the project on January 15, 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-188

Ordinance No. 2020-326
(Int. No. 395)

Authorizing the sale of City-owned parcels, a \$1,000,000 HOME loan, and a payment in lieu of taxes agreement for the CDS Clifford and Joseph Apartments Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the sale of the following 23 parcels of land at the following appraised values to CDS Monarch, Inc., CDS Clifford Ave, LLC, or an affiliated partnership or housing development fund (collectively, the Developer) to develop the CDS Clifford and Joseph Apartments Project comprised of approximately 164 units of housing affordable to households with extremely low, very low and low incomes and other amenities (the Project):

Address	SBL #	Lot Size	Sq. Ft.	Appraised Value
562-566 Joseph Ave	106.31-3-28	48X131	6,288	\$2,500
576-590 Joseph Ave	106.31-3-30.2	144x122	17,689	\$8,800
615 Clifford Ave	106.31-3-15	40x120	4,800	\$425
621 Clifford Ave	106.31-3-16	42 x120	5,040	\$450
625 Clifford Ave	106.31-3-17	42 x120	4,848	\$425
1 Theodore St	106.31-3-18	40 x 124	4,984	\$425

2 Theodore St	106.31-3-19	40 x 124	4,766	\$425
3 Theodore St	106.31-3-20	40 x 124	5,097	\$450
4 Theodore St	106.31-3-21	40 x 125	4,920	\$425
14 Maria St	106.32-4-24	36 x102	3,972	\$400
16 Maria St	106.32-4-25	36x102	3,617	\$400
18 Maria St	106.32-4-26	35 x155	5,425	\$450
20 Maria St	106.32-4-27.1	53 x155	8,215	\$525
23 Maria St	106.32-4-41.1	46 X 120	5,553	\$450
24 Maria St	106.32-4-29.1	54 x155	8,370	\$525
25 Maria St	106.32-4-40.1	46x120	5,549	\$450
26 Maria St	106.32-4-30.1	64x150	9,600	\$550
29 Maria St	106.32-4-37.2	46x120	5,534	\$450
30 Maria St	106.32-4-32.1	65x100	6,500	\$475
31 Maria St	106.32-4-36.2	46x120	5,527	\$450
34 Maria St	106.32-4-34	33x70	2,310	\$400
35 Maria St	106.32-4-1.1	46x120	5,580	\$450
36 Maria St	106.32-4-2	33x70	2,310	\$400
			TOTAL	\$20,700

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. The Mayor is hereby authorized to enter into a loan agreement with the Developer to provide permanent financing for the Project. The loan shall be in the amount of \$1,000,000, which shall be funded by, and is hereby appropriated from, the Affordable Housing Fund of the 2020-21 Annual Action Plan. The loan agreement shall have a term that extends for 30 years commencing upon the closing on permanent financing that follows the completion of Project construction. The loan shall be subject to an annual interest rate of 2%. The payment of interest shall be paid annually if the Developer has sufficient cash flow and repayment of the loan principal and any unpaid interest shall come due at the end of the loan term. The Mayor is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to legal and other requirements for the Project.

Section 4. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT Agreement) with the Developer for the following 25 parcels of land in order to effectuate the Project. This PILOT Agreement shall provide that said parcels shall remain entitled to a real property tax exemption, provided that the Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Current Owner	Address	SBL #
City of Rochester	562-566 Joseph Ave	106.31-3-28
City of Rochester	576-590 Joseph Ave	106.31-3-30.2
City of Rochester	615 Clifford Ave	106.31-3-15
City of Rochester	621 Clifford Ave	106.31-3-16
City of Rochester	625 Clifford Ave	106.31-3-17
City of Rochester	1 Theodore St	106.31-3-18
City of Rochester	2 Theodore St	106.31-3-19

City of Rochester	3 Theodore St	106.31-3-20
City of Rochester	4 Theodore St	106.31-3-21
City of Rochester	14 Maria St	106.32-4-24
City of Rochester	16 Maria St	106.32-4-25
City of Rochester	18 Maria St	106.32-4-26
City of Rochester	20 Maria St	106.32-4-27.1
City of Rochester	23 Maria St	106.32-4-41.1
City of Rochester	24 Maria St	106.32-4-29.1
City of Rochester	25 Maria St	106.32-4-40.1
City of Rochester	26 Maria St	106.32-4-30.1
City of Rochester	29 Maria St	106.32-4-37.2
City of Rochester	30 Maria St	106.32-4-32.1
City of Rochester	31 Maria St	106.32-4-36.2
City of Rochester	34 Maria St	106.32-4-34
City of Rochester	35 Maria St	106.32-4-1.1
City of Rochester	36 Maria St	106.32-4-2
Antonio Garcia	570 Joseph Ave	106.31-3-29
CDS Monarch, Inc.	6 Theodore St	106.31-3-23.1

Section 5. The term of the PILOT Agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated for the purpose of providing affordable housing in accordance with the conditions for maintaining low-income housing tax credits and financing as well as other legal requirements.

Section 6. The loan and PILOT agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the sale and agreements authorized herein.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 381
Re: Agreement- Launch IT, Corp., Land Management Software Acquisition & Implementation

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Land Management IT project. This project will will replace the legacy mainframe data system currently supporting the permitting, trade licensing, building inspection, and code enforcement, as well as some Neighborhood Service Center operations within the Department of Neighborhood and Business Development (NBD). This legislation will:

1. Authorize the transfer of \$50,000 in unspent Cities RISE Phase III grant funds from the 2020-21 Budget of the Office of The Mayor, to the 2020-21 Budget of Cash Capital to fund the project agreement.
2. Authorize \$4,021,190 as maximum compensation for an agreement with Launch IT, Corp. (Principal: Hiram Houghton, 4430 NW Urbandale Dr., Urbandale, Iowa) to provide hosting, managed services, and implementation of a land management software solution. The term of the agreement will be for 5 years. The cost of this agreement will be funded as follows:

- \$401,000 from 2018-19 Cash Capital, \$750,000 from 2019-20 Cash Capital, and \$50,000 from 2020-21 Cash Capital as appropriated above. This is inclusive of \$300,000 in Cities RISE Phase III grant funds previously appropriated for this use.
- \$1,382,235 from the 2021-22 Cash Capital budget contingent upon its approval.
- \$1,437,955 from future operating budgets, contingent upon their approval.

The total implementation costs for the project are \$2,583,235 and the total operating costs are \$1,437,955 (annual costs are broken out by year in the table, below).

Budget Year	Budget Type	Annual Amount
FY 2018-19	Cash Capital	\$401,000
FY 2019-20	Cash Capital	\$750,000
FY 2020-21	Cash Capital	\$50,000
FY 2021-22	Cash Capital	\$1,382,235
FY 2022-23	Operating	\$468,204
FY 2023-24	Operating	\$477,754
FY 2024-25	Operating	\$491,997
Total		\$4,021,190

Launch IT, Corp. will be subcontracting with software companies Calytera and Bluebeam Inc. A request for proposals for these services was issued in December 2019 on the City Website and sent directly to 42 companies. Responses were received from 16 companies and four vendors were invited for a virtual scripted demonstration. From this process, the selection was narrowed down to two vendors, who were then asked to provide a brief additional demonstration on one of NBD’s key processes (Certificate of Occupancy renewals). The second demonstration made it clear to staff that the Calytera solution, as proposed by Launch IT, Corp., was the only option that would meet our needs. The software provider adapted their software to make our workflow quicker and more efficient in the field, a key requirement to better position our staff in serving our customers. Staff further explored Launch IT, Corp., Calytera, and Bluebeam Inc. through reference checks with Salem, Oregon, Snohomish County, Washington, and Austin, Texas. An RFP summary is attached.

Staff from the Department of Information Technology, the Office of Data Analytics and Performance, and the Project Management Office have been actively involved in reviewing and providing input into all aspects of the selection process.

It is anticipated that implementation will begin in January 2021, and that the new land management system will go-live in late spring, 2022.

Respectfully submitted,
 Lovely A. Warren
 Mayor

INTRODUCTORY NO. 381

Authorizing and funding an agreement relating to Land Management Software Acquisition and Implementation

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. government, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended to transfer \$50,000 from the Budget of the Office of the Mayor to 2020-21 Cash Capital.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Launch IT, Corp. to provide hosting, managed services, and implementation of a land management software solution to replace the City’s legacy mainframe data system that supports permitting, trade licensing, building inspection, code enforcement and some Neighborhood Service Center operations. The maximum compensation for the agreement shall be \$4,021,190, which shall be funded in the amounts of \$401,000 from 2018-19 Cash Capital, \$750,000 from 2019-20 Cash Capital, \$50,000 from 2020-21 Cash Capital, \$1,382,235 from 2021-22 Cash Capital, \$468,204 from the 2022-23 Budget of the Information Technology Department (IT), \$477,754 from the 2023-24 Budget of IT, and \$491,997 from the 2024-25 Budget of IT, contingent upon the approval of the 2021-22 and later budgets. The term of the agreement shall be five years.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

HELD IN COMMITTEE

By Councilmember Gruber
November 10, 2020

To the Council:

The **PARKS & PUBLIC WORKS COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 383 Authorizing agreements for the River Street Realignment Project
- Int. No. 384 Authorizing an appropriation and amending Ordinance No. 2019-201 for the State Street Reconstruction Project
- *Int. No. 385 Resolution authorizing the implementation and funding in the first instance of the State-aid Program eligible costs of a capital project and appropriating funds therefor
- Int. No. 386 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$925,000 Bonds of said City to finance the Maguire Building Renovation Project
- Int. No. 387 Appropriating an amendatory agreement relating to the Maguire Building Renovation Project

* Int. No. 385 will be voted on at the December 15, 2020 Council Meeting.

Respectfully submitted,
Mitch Gruber
Malik Evans
Jose Peo
Willie J. Lightfoot
Loretta C. Scott

PARKS & PUBLIC WORKS COMMITTEE

Received filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-327
Re: Agreement – CHA Consulting, Inc. and CSX Transportation, Inc., Engineering Design and Construction Administration Services, River Street Realignment Project

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the River Street Realignment Project. This legislation will:

1. Establish \$175,000 as total maximum compensation for a professional services agreement with CHA Consulting, Inc. (Michael D. Carroll, CEO, 16 West Main Street, Rochester, NY) for engineering design and construction administration services related to this project to be funded with 2019-20 Cash Capital. The term of the agreement shall extend until three (3) months after completion of a two-year guarantee inspection of the project; and,
2. Establish \$50,000 as a total maximum compensation for an agreement with CSX Transportation, Inc. (Jacksonville, Florida) for project related services and will be funded with 2019-20 Cash Capital. The term of the agreement shall extend until five (5) years after the project completion.

The project includes the realignment of River Street from the CSX crossing (adjacent to 503 River Street) to 565 River Street. This work was originally planned within the Port of Rochester Harbor Improvement Project but was subsequently placed on hold pending needed property acquisitions. The City is now in the final stages of acquiring the properties and design is commencing to align with the Lake Ontario Resiliency and Economic Development Initiative (REDI). Properties to be acquired include the Coast Guard Auxiliary property at 520 River Street, and 527 River Street.

The project will include full-depth pavement, granite curbs, driveway aprons, receiving basins, signage, pavement markings, and on-street parking. In addition, the project includes a multi-use trail that will connect the existing Genesee Riverway Trail (at the CSX at-grade railroad crossing) to the newly constructed multi-use trail along River Street to the north.

CHA Consulting, Inc. was selected to provide engineering design and construction administration services through a request for proposal process described in the attached summary.

Engineering design services are anticipated to begin in winter 2020 and construction is preliminarily planned to begin in the spring of 2022. The engineering design phase of this project results in the creation and/or retention of the equivalent of 2.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-189

Ordinance No. 2020-327
(Int. No. 383)

Authorizing agreements for the River Street Realignment Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with CHA Consulting, Inc. for engineering design and construction administration services related to the River Street Realignment Project consisting of the realignment of the roadway and other improvements extending from the CSX railroad crossing adjacent to 503 River Street to 565 River Street and the construction of an adjacent multi-use trail (collectively, the Project). The term of the agreement shall continue until 3 months after completion of the two-year guarantee inspection of the Project. The maximum compensation for the agreement shall be \$175,000, which shall be funded from 2019-20 Cash Capital.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with CSX Transportation, Inc. to provide services relating to the at-grade railroad crossing as part of the Project. The maximum annual compensation for the agreement shall be \$50,000, which shall be funded from 2019-20 Cash Capital. The term of the agreement shall extend to 5 years after completion of the Project.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-328
Re: State Street Reconstruction Project (Basin Street to Inner Loop)

Council Priority: Creating and Sustaining a Culture of Vibrancy and Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the State Street Reconstruction Project. This legislation will:

1. Appropriate \$345,600 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the final design services, construction administration services and right-of-way acquisitions for the project; and,
2. Authorize an amendatory agreement with LaBella Associates, D.P.C. (Steve Metzger, C.E.O., 300 State Street, Suite 201, Rochester, New York) for final design and construction administration services related to the project. This amendment will increase the maximum compensation by \$490,000 to a maximum total of \$755,000. The term of the agreement shall extend until six (6) months after final acceptance of the project.

The original agreement authorized in June 2019 (Ordinance No. 2019-201) was for preliminary design services and established maximum compensation at \$265,000. This amendment will be to complete final design and right-of-way acquisitions for the project. The amendatory agreement will be funded from:

2016-17 Cash Capital	\$ 85,748.46
2019-20 Cash Capital	\$ 8,651.54
2020-21 Cash Capital	\$ 50,000.00
<u>NYSDOT funds appropriated herein</u>	<u>\$345,600.00</u>
Total	\$490,000.00

This is a Federal Aid Project administered by the City under agreement with the New York State Department of Transportation (NYSDOT).

Street improvements will include pavement reconstruction and widening, curbs, sidewalks, curb ramps, catch basins, manhole frames and covers, water main, water anodes, hydrants, telecommunications conduit, street lighting, signal upgrades, signage, pavement markings, tree plantings, and other various streetscape improvements. These improvements will enhance traffic safety and efficiency, improve the surface drainage and riding quality of the roadway, improve accessibility, and enhance the streetscape.

A public meeting was held on September 23, 2020.

Preliminary design services began in summer 2019. Final design services are anticipated to begin in fall 2020. Construction is anticipated to begin in spring 2022. This amendatory agreement will result in the creation and/or retention of the equivalent of 5.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-190

Ordinance No. 2020-328
(Int. No. 384)

Authorizing an appropriation and amending Ordinance No. 2019-201 for the State Street Reconstruction Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to accept and use \$345,600 in anticipated reimbursements from the Federal Highway Administration (FHWA), which amount is hereby appropriated to fund a portion of the final design services, construction administration services and right-of-way acquisitions for the State Street Reconstruction Project (Project).

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with LaBella Associates, D.P.C. to provide additional services related to the Project. The agreement authorized in Ordinance No. 2019-201 as amended by Ordinance No. 220-197 is hereby further amended to add final design and construction administration to the scope of services and to increase the maximum compensation by \$490,000 to a new total of \$755,000. The increase in compensation shall be funded by \$345,600 from the FHWA reimbursement appropriated in Section 1, \$85,748.46 from 2016-17 Cash Capital, \$8,651.54 from 2019-20 Cash Capital, and \$50,000 from 2020-21 Cash Capital.

Section 3. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Meléndez, Patterson, Peo-8.

Nays – Councilmember Lupien -1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-329
Ordinance No. 2020-330
Re: Maguire Building Renovation Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Maguire Building Renovation project. This legislation will:

1. Authorize the issuance of bonds totaling \$925,000 and the appropriation of the proceeds thereof to partially finance the project; and,
2. Amend the professional services agreement with Stantec Consulting Services Inc., (James Hofmann, Principal, 61 Commercial Street, Rochester, NY) approved in Ordinance No. 2020-75 to change the scope of services to include

Resident Project Representation (RPR) services. Preliminary project design work was provided by Konopka Architecture, P.C. and any additional ancillary design work will be provided through the cooperative purchasing network and the City’s existing term contracts as described below.

The project includes renovations to the Maguire Building, 448 Smith Street, to create an indoor Rochester Community and Youth Sports Complex. The renovated facility will include turf and court sports training areas, classroom training room, weight lifting room, restroom upgrades, new mechanical, heating and air conditioning equipment, and the relocation of scoreboard equipment. The City intends to acquire the Maguire Building, which is currently owned by the Rochester Economic Development Corporation, prior to the construction project.

In addition to the bond financing, the project will be funded by a \$460,000 grant administered through the Rochester Area Community Foundation (RACF) on behalf of the Ralph C. Wilson, Jr. Foundation fund authorized under Ordinance No. 2020-18, \$500,000 in 2018-19 Cash Capital authorized in Ordinance No. 2019-277, \$450,000 in 2019-20 Cash Capital, and \$22,550 from the 2018-19 Budget of the Department of Environmental Services.

The City is saving time and money by procuring most of the construction and ancillary design services for the project through a cooperative purchasing network set up by the Town of Greece (Town). The Town has a Municipal Agreement for Contracting Services with The Gordian Group, Inc. (Bill Pollak, President, Greenville, SC) by which a wide array of construction-related services have already been let out for competitive bidding consistent with state law and now are made available for use by other local governments pursuant to General Municipal Law §103(16). This network enables the City to utilize publically bid construction contractors, piggybacking off of the Town’s agreement with Gordian. A small portion of services, worth \$69,433.92, will be obtained through the City’s existing term contracts, instead of through the Town’s cooperative arrangement.

The estimated project cost is \$2,357,550 and will be funded as follows:

Source of Funds	Preliminary Design	Construction (incl. ancillary design)	RPR	Contingency	Total
2018-19 DES Operating Budget	\$22,550				\$22,550
2019-20 Cash Capital		231,065.15	200,000	18,934.85	\$450,000
2018-19 Cash Capital authorized by Ordinance No. 2019-277		499,735.06	0	264.94	\$500,000
RACF grant authorized by Ord. No. 2020-18		460,000.00	0	0	\$460,000
Bonds authorized herein		750,000.00	0	175,000.00	\$925,000
Total	\$22,550	\$1,940,800.21	\$200,000	\$194,199.79	\$2,357,550

Construction began in summer 2020 and is anticipated to be completed in winter 2021. The additional issuance of bond will result in the creation and/or retention of the equivalent of 10.9 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2020-329
 (Int. No. 386)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$925,000 Bonds of said City to finance the Maguire Building Renovation Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the cost of renovations to the Maguire Building, 448 Smith Street, to create an indoor Rochester Community and Youth Sports Complex (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 \$2,357,550. The plan of financing includes the issuance of \$925,000 bonds of the City, which amount is hereby appropriated therefor, \$22,550 from the 2018-19 Budget of the Department of Environmental Services, \$500,000 in 2018-19 Cash Capital authorized by Ordinance No. 2019-277, \$450,000 in 2019-20 Cash Capital, a \$460,000 grant administered through the Rochester Area Community Foundation (RACF) on behalf of the Ralph C. Wilson, Jr. Foundation fund authorized under Ordinance No. 2020-18, 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 \$925,000 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 \$925,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.12 of the Law, is twenty-five (25) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

Ordinance No. 2020-330
(Int. No. 387)

Authorizing an amendatory agreement relating to the Maguire Building Renovation Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Stantec Consulting Services Inc. for services relating to the Maguire Building Renovation Project. The agreement authorized in Ordinance No. 2020-75 is hereby amended to add resident project representation to the scope of services. The other services and terms authorized in Ordinance No. 2020-75 shall remain the same.

Section 2. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Vice President Lightfoot
November 10, 2020

To the Council:

The **PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 372 Authorizing an agreement and funding to review critical policies, procedures, and training requirements of the Rochester Police Department
- Int. No. 388 Authorizing an Animal Services licensing and operating agreement with the Friends of the Verona Street Animal Shelter Inc.
- Int. No. 389 Appropriating funds from the sale of mounted police patrol horse
- Int. No. 390 Authorizing an intermunicipal agreement and funding for the 2021 STOP DWI Program
- Int. No. 391 Authorizing a license agreement to operate an early childhood development center in the David F. Gantt R-Center
- Int. No. 392 Authorizing a grant agreement for the Flower City AmeriCorps Program
- Int. No. 393 Accepting and appropriating a grant for fire prevention and safety education

Respectfully submitted,
Willie Lightfoot
Mitch Gruber (*Voted against Int. No. 390 and Abstained against Int. No. 391*)
LaShay D. Harris
Jose Peo
Loretta C. Scott

PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-331
Re: Agreement with WilmerHale to review critical RPD policies, procedures and trainings

Transmitted herewith for your approval is legislation authorizing an agreement with Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”) for a team lead by Partner Danielle Conley, former Associate Deputy Attorney General with the U.S. Department of Justice, to conduct a deep-dive review of RPD policies, procedures and training related to (1) use of force; (2) de-escalation of critical incidents; (3) body worn cameras; and (4) responding to mental health-related calls for assistance. WilmerHale will complete this review in approximately four months and will provide written findings and recommendations that the City may use to revise its law enforcement training, policies and procedures. There shall be a flat fee of \$250,000, which shall be paid from 2020-2021 federal asset forfeiture funds.

The review to be conducted by WilmerHale will include interviews with both RPD personnel and community stakeholders to ensure that voice is given to a diversity of local concerns and perspectives. To further ensure community involvement, WilmerHale will interface with a committee comprised of two City Council representatives, two Administration representatives, and one representative each from the Commission on Racial and Structural Equity, the Police Accountability Board, and the United Christian Leadership Ministry.

Upon conclusion of the review, WilmerHale will make specific recommendations for change, including enhancements to RPD’s training program on uses of force, de-escalation, and responding to those experiencing mental health issues. These recommendations will guide the RPD in developing a training curriculum, schedule, and ongoing certification program for officers to acknowledge that they have completed the training, and for RPD to ensure that the training is effectively and regularly reinforced. The findings and recommendations of the WilmerHale review will also be used to inform the City’s comprehensive review of, and plan to improve, the RPD’s force deployments, strategies, policies, procedures and practices as required by Governor Cuomo’s Executive Order No. 203.

Respectfully submitted,
Lovely A. Warren
Mayor

Loretta C. Scott
President

Ordinance No. 2020-331
(Int. No. 372)

Authorizing an agreement and funding to review critical policies, procedures and training requirements of the Rochester Police Department

BE IT ORDAINED by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to Budget of the Police Department by the amount of \$250,000, which is hereby appropriated from Federal Forfeiture funds generated by the Rochester Police Department.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”) to review and provide written findings and recommendations with regard to Police Department policies, procedures and training relating to use of force, de-escalating critical incidents, body worn cameras, and responding to mental health-related calls for assistance. The term of the agreement shall be up to 6 months. The compensation for the agreement shall be \$250,000, which shall be funded from the Federal Forfeiture funds appropriated in Section 1 herein.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Meléndez, Patterson, Peo -8.

Nays – Councilmember Lupien – 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-332
Re: Animal Services Agreement – Verona Street Animal Society, License and Operating Agreement

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing a License and Operating Agreement with Friends of the Verona Street Animal Shelter, Inc. dba Verona Street Animal Society (Friends).

This no cost agreement will provide for mutual licensing and use of names and marks, license the use of office space and equipment, and memorialize the relationship and responsibilities for each party. Under this agreement, Friends will coordinate and manage the volunteer program for RAS, including providing staff or volunteers to augment programs, and will coordinate and manage the communications, marketing, and fundraising activities for Rochester Animal Services (RAS). Friends will allow the City to promote the partnership and utilize the Friends logo and will utilize the City’s mark to promote fundraising events and other joint events. The City will provide office space and equipment within Animal Services for Friends for RAS-related purposes only at no charge to Friends.

The term of this agreement shall be for one year and will renew annually unless terminated by either party with at least ninety (90)-day notice. This is the first time for this agreement with Friends.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-332
(Int. No. 388)

Authorizing an Animal Services licensing and operating agreement with the Friends of the Verona Street Animal Shelter Inc.

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a licensing and operating agreement with the Friends of the Verona Street Animal Shelter Inc. (Friends) relating to Rochester Animal Services (RAS). Under the agreement, the Friends, a not-for-profit corporation, shall manage a volunteer program to augment RAS programs and conduct fundraising activities for the RAS and RAS in return shall provide its cooperation and allow the Friends to use a portion of the RAS office facilities rent-free to conduct those supportive programs and activities. The agreement also shall provide for the mutual limited licensing of each party’s names, logos and marks to the other for purposes of promoting fundraising events and other activities. The agreement shall have a term of one year, after which it shall be renewed for 12 months each year thereafter unless terminated by either party upon at least 90 days prior written notice to the other.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-333
Re: Receipt and Use of Funds from Sale of Mounted Horse

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation for the receipt and use of \$5,100 from the sale of a Mounted horse, and amending the 2020-21 Cash Capital Budget of the Police Department by this amount.

Shamrock, a horse with the Rochester Police Department’s Mounted unit, was not able to handle working in an urban environment. As a result, Shamrock was sold through a bid process. RPD’s Mounted Unit is in need of replacing Shamrock so these funds will be used for the purchase of a new horse.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-333
(Int. No. 389)

Appropriating funds from the sale of mounted police patrol horse

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations for the Budget of the Police Department by the sum of \$5,100, which amount is hereby appropriated from the sale of a retired mounted patrol horse, to fund the purchase of a new horse.

Section 2. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Meléndez, Patterson, Peo -8.

Nays – Councilmember Lupien -1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-334
Re: Agreement – Monroe County, STOP DWI Grant Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of \$61,000 for the 2020 STOP DWI Program, and amending the 2020-21 Budget of the Police Department (\$29,700) and Undistributed Expenses (\$8,300) to reflect a portion of this grant. The remaining funds will be included in the 2021-22 Budget of the Police Department and Undistributed Expenses.

The grant funds will be used for enhanced detection and enforcement of driving while intoxicated and related offenses for the 2021 calendar year. Supported activities include expenses for STOP DWI overtime details and associated fringe costs, supplies, training, breathalyzer calibration, and underage alcohol enforcement.

The term of this grant is January 1, 2021 through December 31, 2021. No matching funds are required. The City has received this grant for more than ten years.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-334
(Int. No. 390)

Authorizing an intermunicipal agreement and funding for the 2021 STOP DWI 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 intermunicipal agreement with the County of Monroe for the City’s receipt and use of \$61,000 in New York State funding for the 2021 STOP DWI Program. The term of the agreement shall be one year.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$29,700 and to the Budget of Undistributed Expenses by \$8,300, both of which are appropriated from reimbursements to be received pursuant to the grant agreement authorized in Section 1 hereof.

Section 4. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Meléndez, Patterson, Peo -7.

Nays – Councilmembers Gruber, Lupien -2.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-335
License Agreement - Action for a Better Community

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a license agreement with Action for a Better Community, Incorporated (ABC), Rochester, New York, to utilize 6,100 square feet at the David F. Gantt R-Center to operate an early childhood development center. The term of this license agreement will be for one year and shall be renewable for four additional one-year terms.

In the first year, the fee for the use of this space, including utilities, will be \$6.00 per square foot, for an annual total of \$36,600 to be received by the City. This rate was determined by an analysis of similar space in the area provided by the City’s Real Estate Division. This amount may be adjusted by the City in future years, as determined by the Real Estate Division. ABC will continue to provide all custodial and cleaning services. The City will provide heating, plumbing and electrical repairs as well as maintain the structural integrity of the community center.

ABC has utilized this space since 1973 and their use was most recently authorized by City Council approval in November 2014 via Ordinance No. 2014-352. ABC has the capacity to serve up to 72 children at the center.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-335
(Int. No. 391)

Authorizing a license agreement to operate an early childhood development center in the David F. Gantt R-Center

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 Action for a Better Community, Incorporated (ABC) for the license of approximately 6,100 square feet of space at the David F. Gantt R-Center to operate an early childhood development center. The license agreement shall obligate ABC to pay an annual fee of \$36,600, and to provide custodial and cleaning services. The City shall be responsible for utilities and for repairs to heating, plumbing and electrical systems and building structure.

Section 2. The agreement shall have a term of one year, with four optional one-year renewals. If the parties agree to renew the agreement in future years, the amount of the rent may be increased by the City.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Meléndez, Patterson, Peo -8.

Nays – None -0.

Councilmember Gruber abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-336
Re: Grant Agreement - New York State Office of Children and Family Services, AmeriCorps

Council Priority: Jobs and Economic Development; Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing the receipt and use of a grant award of \$411,944 from the New York State Office of Children and Family Services (NYS OCFS) for the Flower City AmeriCorps program. The term of this grant will be from November 1, 2020 to January 31, 2022. This funding was anticipated and included in the 2020-21 Budgets of the Department of Recreation and Human Services and Undistributed Expenses.

The goal of the Flower City AmeriCorps program is to inspire and prepare the next wave of human service professionals by providing the skills, information, and experience needed for success as they serve at local organizations working to mitigate poverty in our community. Thirty AmeriCorps members will be selected to provide one year of service through placement at various City departments including in DRHS and Neighborhood and Business Development, as well as several community organizations. Members will engage approximately 800 individuals in youth development, health and wellness, economic opportunity, and community building programming. Oversight of the program will be performed by two full-time DRYS staff.

AmeriCorps members are volunteers and, if serving full time (40 hours per week), will receive a \$14,300 annual “living allowance” and an education award of \$6,195 upon successful completion of the program. AmeriCorps members serving half time (20 hours per week) will receive a \$7,150 annual “living allowance” and an education award of \$3,097.50 upon successful completion of the program.

This will be the sixth year of the Flower City AmeriCorps program and the grant was last authorized in September 2019 via Ordinance No. 2019-292.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-191

Ordinance No. 2020-336
(Int. No. 392)

Authorizing a grant agreement for the Flower City AmeriCorps program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Children and Family Services for the receipt and use of a grant of \$411,944 to operate the Flower City AmeriCorps program. The term of the agreement shall be from November 1, 2020 through January 31, 2022.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-337
Re: Grant Agreement – The Hartford Financial Services Group, Inc., Fire Prevention and Safety

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with The Hartford Financial Services Group, Inc. for the receipt and use of a \$5,000 grant, and amending the 2020-21 Budget of the Fire Department to reflect receipt of said grant. The term of the agreement will be November 12, 2020 to November 11, 2021.

The RFD received a grant from the Hartford Group, Inc. in 2017, to support the purchase of a Fire Safety Education Bounce House. The Fire Department’s Community Risk Reduction unit reaches thousands of adults and school age children with fire prevention and safety curriculum at schools and other community events throughout the year. With the 2020 Hartford Financial Services Group, Inc. grant, the department will purchase strobe smoke alarms for the deaf and hard of hearing. These funds will also be used to purchase fire prevention educational equipment to aide in the development of virtual educational video and curriculum. This will enable RFD to continue to provide instruction on home fire safety skills and promote fire safety awareness to families and children during social restrictions due to the COVID-19 pandemic.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-337
(Int. No. 393)

Accepting and appropriating a grant for fire prevention and safety education

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with The Hartford Financial Services Group, Inc. for the receipt and use of a grant in the amount of \$5,000 to support and enhance the Rochester Fire Department’s ongoing program to provide fire prevention and safety education to families and school-age children (the Education Program). The term of the agreement shall be from November 12, 2020 to November 11, 2021.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Fire Department by the sum of \$5,000, which amount is hereby appropriated for the Education Program from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:18 p.m.

HAZEL L. WASHINGTON
City Clerk

ROCHESTER CITY COUNCIL

REGULAR MEETING

December 15, 2020

Due to the social distancing and other health and safety measures necessary to slow the progress of the COVID-19 pandemic and in accordance with emergency Executive Orders issued by the Governor and Local Emergency Orders issued by the Mayor, the meeting was conducted via video conferencing on Zoom and streamed live for public viewing on the Internet via the Council's Facebook and YouTube pages and on City 12, the City's government access channel that is available to Spectrum Cable subscribers – Channel 1303.

Present –President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Lupien, Meléndez, Patterson, Peo – 9.

President Scott requested the Council to pause for a Moment of Silence.

Pledge of Allegiance to the Flag of the United States of America.

Retirement:

DES:

*Randall Santillo

RFD:

*Thomas Geen Jr.

RPD:

*Leslie Brown

*Mark Wiater

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Harris

RESOLVED, that the minutes of the Regular Meeting on November 10, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

THE CITY CLERK---THE FOLLOWING DOCUMENTS ARE HEREBY DIRECTED TO BE RECEIVED AND FILED:

The Mayor submits the following:

Quarterly Report – Professional Services Agreements– September 30, 2020-4333-20

Quarterly Report – Schedule of Revenue and Expenditures – September 30, 2020-4334-20

The Council submits Disclosure of Interest Forms from Councilmember Gruber on Int. No. 398, Int. No. 399 and Int. No. 431, Councilmember Harris on Int. No. 432 and Councilmember Meléndez on Int. No. 431.

THE COUNCIL PRESIDENT --- PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on December 10, 2020 on the following matters:

Amending the Zoning Code and Map to delete six expired U-R Urban Renewal Districts Int. No. 405

No Speakers

Amending the Consolidated Community Development Plan/2019-20 Annual Action Plan, authorizing submittal of a plan and entering into agreements, and appropriating funds in relation to a third award of Community Development Block Grant-Coronavirus funds Int. No. 406

No Speakers

Authorizing geometric changes relating to the Main Street Streetscape Phase II project Int. No. 420
No Speakers

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Evans
December 15, 2020

To the Council:

The **FINANCE COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 397 Authorizing administrative tax cancellations and refunds of \$1,000 or less for 2021, as amended
- Int. No. 398 Authorizing receipt and use of a grant to fund building improvements and repairs to the Rochester Public Library’s Bausch & Lomb and Arnett Branch buildings
- Int. No. 399 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$500,000 Bonds of said City to finance the costs of improvements to the heating, ventilation and air conditioning system of the Central Library Bausch & Lomb Building
- Int. No. 400 Authorizing an intermunicipal agreement with the County of Monroe relating to CARES Act funding
- Int. No. 428 Resolution establishing the maximum number of Commissioners of Deeds
- Int. No. 431 Authorizing an agreement for medical services for the Police and Fire Departments
- Int. No. 432 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$19,260,000 Bonds of said City to finance the costs of improvements to specified City School District Schools
- Int. No. 434 Authorizing an agreement for State lobbying services

Respectfully submitted,
Malik Evans
LaShay D. Harris
Michael A. Patterson
Willie J. Lightfoot
Loretta C. Scott

FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-338
Re: Authorization – 2021 Administrative Tax Cancellations and Refunds

Transmitted herewith for your approval is legislation authorizing the Director of Finance to cancel or refund certain erroneous *ad valorem* taxes, charges and fees up to \$1,000 per account during the 2021 calendar year.

Each year, approximately 63,000 tax bills are issued by the City. In 2019-20 these bills contained a total of \$251,140,707.40 in City and School taxes, charges and fees, and delinquencies. Of that amount, taxes and charges totaling \$1,290,891.22 or 0.51 % of the total billed amount, were subsequently determined to be erroneous and were canceled. These cancellations involved 247 accounts or 0.39 % of the total number.

Pursuant to Section 556 of the New York State Real Property Tax Law, the City Council is required to approve all cancellations. Under the provisions of Chapter 383 of the Laws of 1984, however, it may delegate to the Director of Finance the authority to approve such cancellations, under certain conditions. Additionally, under Chapter 515 of the Laws of 1997, the State allows administrative cancellations of up to \$2,500 per account.

Delegation of this authority was initially approved by the Council in March 1987. Annual authorization is required. In December 2018, Council re-authorized the Director of Finance to cancel up to \$1,000 per account during 2019 (Ord. No. 2018-383). Such delegation reduces the amount of time required to correct a taxpayer’s account and, in some instances, to issue a refund.

The following conditions will continue to apply:

1. A report summarizing all cancellations approved by the Director of Finance during any month will be submitted to the Council by the fifteenth day of the subsequent month; and
2. The total cancellations approved by the Director for any fiscal year will not exceed the amount of the tax reserve (provision for uncollected or delinquent amounts) established by the Council for that year.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-338
(Int. No. 397, as amended)

Authorizing administrative tax cancellations and refunds of \$1,000 or less for 2021

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Director of Finance is hereby authorized to approve the cancellation of real property taxes and/or charges or fees added to those taxes subject to the following conditions:

- a. The amount to be cancelled for any year for any particular account shall be \$1,000 or less.
- b. A report summarizing all cancellations approved by the Director during any month shall be submitted to the City Council by the 15th day of the subsequent month.
- c. The total amount of cancellations approved by the Director for any fiscal year shall not exceed the amount of the tax reserve (provisions for uncollected or delinquent amounts) established by the City Council for that year.

Section 2. This ordinance shall be in effect for calendar year 2020 2021.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-339
Ordinance No. 2020-340
Re Budget Amendment – Rochester Public Library

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to renovations and upgrades to the Central Library of Rochester and Monroe County and the Arnett Branch Library. This legislation will:

1. Authorize the receipt and use of New York State Education Department, Division of Library Development construction grant funds in the amount of \$566,135 for projects at the Arnett Branch Library and Central Library of Rochester and Monroe County, and
2. Authorize the issuance of bonds totaling \$500,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction costs at the Central Library.

Each year the Monroe County Library System is allocated state funds for library construction projects, awarded on a competitive basis within the system. The Central Library, Bausch & Lomb building will replace its original rooftop make up air unit with increased cooling capacity and freeze protection; replace controls and exhaust fans; and replace priority heat pump units. An estimated construction cost of \$1,013,000 will be funded from the NYSED grant (\$473,000), Library debt allocation (\$500,000) and Library cash capital (\$40,000).

The Arnett Branch Library has a roofing system installed in 1997; a roof restoration is recommended to extend the life of the existing roof and provide a new 10-year warranty. The restoration consists of asbestos abatement, removing the existing ballast, replacing insulation, installing new perimeter flashings and roof drain reinforcements. An estimated construction cost of \$205,000 will be funded from the NYSED grant (\$93,135), and anticipated Library cash capital as part of its fiscal year 2021-22 Capital Improvement Program.

All projects are managed by the Department of Environmental Services, Bureau of Architecture and Engineering. Design of the projects will begin in winter 2020; construction is required by NYSED to be completed within three years of grant award.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-339
(Int. No. 398)

Authorizing receipt and use of a grant to fund building improvements and repairs to the Rochester Public Library's Bausch & Lomb and Arnett Branch buildings

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby authorizes the receipt and use of a \$566,135 grant from the New York State Education Department, Division of Library Development to fund a portion of the costs of building improvements and repairs to the Rochester Public Library's Bausch & Lomb and Arnett Branch buildings.

Section 2. The Mayor is hereby authorized to enter into a grant agreement with the funding agency or its designee if necessary to effectuate the City's receipt of the grant. If there is an agreement, it shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. The Council hereby appropriates \$473,000 from the grant authorized in Section 1 to fund a portion of the costs of improvements to the heating, ventilation and air conditioning system of the Central Library Bausch & Lomb Building.

Section 4. The Council hereby appropriates \$93,135 from the grant authorized in Section 1 to fund a portion of the costs of restoring and extending the operational life of the existing roof for the Arnett Branch Library building.

Section 5. This ordinance shall take effect immediately.

Passed the following:

Ayes: President Scott, Councilmembers Evans, Harris, Lightfoot, Lupien, Meléndez, Patterson, Peo – 8.

Nays: None – 0.

Councilmember Gruber abstained due to a professional relationship.

Ordinance No. 2020-340
(Int. No. 399)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$500,000 Bonds of said City to finance the costs of improvements to the heating, ventilation and air conditioning system of the Central Library Bausch & Lomb Building

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 improvements to the heating, ventilation and air conditioning system of the Central Library Bausch & Lomb Building, including replacing a rooftop make up air unit, replacing controls and exhaust fans and replacing certain heat pump units (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 \$1,013,000. The plan of financing includes the issuance of \$500,000 in bonds of the City, which amount is hereby appropriated therefor, \$473,000 in anticipated reimbursements from the New York State Education Department as appropriated in an accompanying ordinance, \$40,000 in 2019-20 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 \$500,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

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 \$500,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.13 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, pay-able 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 the following:

Ayes: President Scott, Councilmembers Evans, Harris, Lightfoot, Lupien, Meléndez, Patterson, Peo – 8.

Nays: None – 0.

Councilmember Gruber abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-341
Re: Agreement – Inter-municipal agreement with Monroe County

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an intermunicipal agreement with Monroe County for the receipt of \$3,362,500, plus any additional funds the County makes available to the City at the County’s sole discretion for the reimbursement of expenditures incurred by the City due to the Coronavirus disease (COVID-19).

The County is an eligible unit of local government under the CARES Act, has received an allocation of Coronavirus Relief Funds, and desires to distribute a portion of its allocation to the City as a local government in order to assist the City in mitigating the impacts of the COVID-19 emergency. The City made a request to the County for reimbursement of certain expenditures incurred due to the public health emergency. These expenditures were identified as “Eligible Expenses” that:

- 1) were necessary expenditures incurred due to the public health emergency with respect to COVID-19;
- 2) were not accounted for in its budget most recently approved as of March 27, 2020; and
- 3) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

A summary of these expenditures is attached.

The City shall maintain complete records documenting its use of funds under this agreement. This is a one-time payment and it is the first time the City is receiving these funds. This agreement is pursuant to resolution 188 of 2020 of the Monroe County Legislature adopted on June 9, 2020 and approved by County Executive Adam J. Bello on June 16, 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-192

Ordinance No. 2020-341
(Int. No. 400)

Authorizing an intermunicipal agreement with the County of Monroe relating to CARES Act funding

BE IT ORDAINED by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe (County) for the receipt and use of \$3,362,500, plus any additional funds that the County chooses to provide at its sole discretion, from Federal funds provided to mitigate difficulties arising out of the coronavirus pandemic pursuant to the Coronavirus Aid, Relief and Economic Security Act enacted on March 27, 2020 (CARES Act). The funds provided under this agreement shall be limited to the reimbursement of City expenses incurred on March 1, 2020 through December 30, 2020.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-38
Re: Commissioners of Deeds

Transmitted herewith for your approval is legislation related to the appointment of Commissioners of Deeds. The proposed legislation establishes the number of Commissioners of Deeds at no more than 250 per year during calendar years 2021 and 2022. Since Fiscal Year 2004-05, not more than 175 have been issued per year, so the 250 annual maximum is expected to be sufficient to meet demand.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2020-38
(Int. No. 428)

Resolution establishing the maximum number of Commissioners of Deeds

BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. During calendar years 2021 and 2022, there shall be appointed no more than 250 Commissioners of Deeds annually.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-342
Re: Agreement - Medical Services for Uniformed Employees

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Rochester Regional Health, Division of Occupational Medicine (RRH-OM) (Dr. Eric Bieber, Chief Executive Officer) for medical examinations and occupational medical services for candidates, sworn employees and disabled retirees of the Rochester Police Department (RPD) and Rochester Fire Department (RFD). The term of this contract will be for a period of three years beginning January 1, 2021 with renewal options for two additional one year periods. The initial cost of this agreement will be funded from the 2020-21 Budgets of RPD, RFD, and Undistributed. The agreement shall provide for all regular medical services and for additional special services, the fees for which shall be established in the agreement and which shall not exceed funds available in the annual budgets for the Fire Department, Police Department, and Undistributed for this purpose. There is no base contract amount; this is a fee-for-service contract. Subsequent costs will be funded from the annual of budgets of RPD, RFD, and Undistributed contingent upon Council approval.

These services will include but are not limited to:

- Pre-employment medical examinations and assessments
- Evaluation, treatment (acute care and emergency care), and case management for on-duty injuries and illnesses
- Return to work and/or fitness for duty examinations for on or off-duty injuries or illnesses
- Required miscellaneous examinations and immunizations
- Provision of referrals to specialists as needed
- Other care and or examinations as deemed appropriate

RRH-OM was selected through a Request for Proposal process which is described in the attached summary. RRH-OM was selected based on their flexibility in terms of scheduling, hours of availability, qualifications of key personnel, and willingness to provide a customized case management approach to the City's medical needs. RRH-OM currently provides similar services in a satisfactory manner for non-uniformed employees (Ord. 2019-107). The current contract for these services with Workfit Medical LLC will expire December 31, 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-342
(Int. No. 431)

Authorizing an agreement for medical services for the Police and Fire Departments

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 Rochester Regional Health for medical services for sworn employees and disabled retirees of the Rochester Police and Fire Departments for a term of three years beginning January 1, 2021, with two one-year renewal options. The agreement shall provide for all regular medical examinations and occupational medical services and for additional special services. The fees for services shall be established in the agreement and shall not exceed funds available in the 2020-21 and subsequent budgets of the Rochester Police and Fire Departments and Undistributed Expense for this purpose, contingent upon adoption of the subsequent budgets.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-343
Re: Capital Improvement Program – City School District

City Council Priority: Deficit Reduction and Long-Term Financial Stability, Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation relating to the Capital Improvement Program (CIP) of the Rochester City School District. This legislation will:

1. Authorize \$19,260,000 as debt to be authorized for the 2020-21 fiscal year for the RCSD; and
2. Authorize the issuance of bonds for \$19,260,000 and the appropriation of the proceeds thereof for capital improvements to existing school buildings in the District.

By City Council Policy, borrowing in any fiscal year may not exceed the principal on outstanding debt redeemed for that year. During fiscal year 2020-21 the RCSD will liquidate \$20,650,527 in principal. *Attachment A* is a projection of the School District debt to be repaid over the current and next four fiscal years.

For cities with dependent school districts, the NY State Constitutional Debt Limit is established at 9.0% of the 5-year average full valuation. As specified in the City Charter, Rochester splits this limit into 5.5% for the City and 3.5% for the School District. This split provides the District with a remaining borrowing capacity of \$71,806,295 (*Attachment B*).

In accordance with the City Council Policy adopted April 20, 2016, bonding for schools in the CIP will not include schools in a current phase of the Facilities Modernization Program unless for reasons of health and safety; the RCSD will use cash capital as defined by New York State Finance law.

Attachment C is a letter from the School District detailing the planned uses of the new bonds and the use of cash capital as well as a copy of the Board of Education Resolution approving the capital plan.

In addition, the Policy of April 2016 requires the City of Rochester's Engineering and Architecture staff to review the RCSD's request and for the District to provide school closings. *Attachment D* is a memorandum from the Assistant City Engineer confirming said E&A review.

The New York State Education Department has yet to confirm the City has met its fiscal effort for its component school district for 2020-21. We will advise once we receive confirmation from NYSED. When the City issues this debt the repayments will be structured to the extent possible to continue meeting the MOE requirements, while remaining within the constraints of Local Finance Law.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-194

Ordinance No. 2020-343
(Int. No. 432)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$19,260,000 Bonds of said City to finance the costs of improvements to specified City School District schools

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance \$19,260,000 of the costs of the City School District 2020-21 Capital Improvement Program, including the costs of the design, renovation and improvement of the City School District schools indicated on the attached Exhibit A (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$19,260,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$19,260,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$19,260,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto. The principal of the Bonds authorized by this Ordinance does not exceed the principal of the Bonds being redeemed on behalf of the School District during the City's 2020-21 Fiscal Year. The proceeds of the Bonds authorized herein shall not be applied to any School District facility in the current phase of the School District Facilities Modernization Program.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$19,260,000. 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.

Exhibit A
2020-21 CONSTRUCTION PROJECTS

School Name	Project Description	Budget
School #3 Nathaniel Rochester Community/Adams Street Rec Center	City Recreational Center project. This work is scheduled for 2022.	\$ 2,000,000
School #12 Anna Murray-Douglass School & Rec. Center	Realignment of bus drop off areas, expansion of parking and lighting improvements. Provide vault construction for secure storage of exams.	\$ 2,000,000
School #33 John James Audubon	Replace roof over main office bid as an alternate in 2019, but not accepted. Replace coping and clean stain at gym wall in courtyard. Rebuild loading dock and reconstruct sump. Additional funds are redirected to this project for subsurface conditions at the dock area.	\$ 1,300,000
School #34 Dr. Louis A Cerulli	Replace main entrance exterior doors and install HC lift. Replace deteriorated wood windows in various classrooms. Replace heating zone pumps and place on VFD's, modify system in nurse suite. Replace PA system. Update burner Controls. Convert building system controls to DDC.	\$ 1,200,000
School #35 Pinnacle	Replace electrical service from transformer to \$ 800,000 MDP. Replace folding partition on gym stage. Install freezer and cooler for kitchen.	\$ 800,000
School #39 Andrew J. Townson	Construct accessible ramp at front entry, adjust door, raise entrance slab. Gymnasium reconstruction - replace corridor panels, replace lighting, replace doors, replace wall mats. Toilet room reconstruction - add HC stalls on second floor east side toilets. Replace corridor flooring cove base. Rekey the entire building and provide selected door and frame replacement. Resurface playground area with soft tiles.	\$ 3,000,000

School #42 Abelard Reynolds	Remove asbestos panels on gym wall and reconstruct gym wall interiors. Abate asbestos in crawl space areas and install mud slab. Replace gym doors. Replace stage curtains. Adjust outdoor equipment storage room overhead door for grounds equipment access. Construct conference room and pull out spaces in current library to be near main office. Construct staff toilet area. Relocate and reconstruct classroom for library. Provide lights on rear parking lot.	\$ 2,900,000
School #58 World of Inquiry	Replace epoxy flooring damaged from moisture and modify door on service corridor for controlled access. Site development of adjacent property, contingent on the City's acquisition of 236 University Avenue for the School's use.	\$ 600,000
Jefferson	Roofing - rebid of alternates not selected in 2017. Window replacement - rebid of alternates not selected in 2017. Additional funds are redirected to this project for additional windows and roofing.	\$ 1,900,000
School of the Arts	Install below grade waterproofing in courtyard area. Replace heat coils for ten mechanical units. Modify building system controls. Replace doors/door hardware on Black Box and small theater. Replace damaged stone tile in main lobby. Replace bleachers and wall pads in gym. Additional funds are redirected to this project for gym folding partition replacement and courtyard subsurface conditions.	\$ 2,360,000
District Wide - 5, 8, 12, 17, 28, 33, 45, 58 with 42 as an alternate	Phase I - Door Security Alarm Initiative. Additional funds are redirected to this project for three additional buildings.	\$ 1,200,000
GRAND Total 2020-21 Bond Request		\$19,260,000

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Lightfoot, Lupien, Meléndez, Ortiz, Patterson, Peo -8.

Nays – None -0.

Councilmember Harris abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-344
Re: Agreement – Mercury Public Affairs LLC – State Lobbying Services

Transmitted herewith for your approval is legislation establishing \$96,000 as maximum annual compensation for an agreement with Mercury Public Affairs LLC (Christopher Bombardier, Managing Director, Charlie King, Partner) to research, track, and advocate for the City's legislative and administrative agenda with New York State. The term will be for one year (January 1 – December 31, 2021) with the option of one, one-year renewal contingent upon approval of both parties. The cost of the agreement for the first year will be funded from the 2020-21 (\$48,000) and 2021-22 (\$48,000) Budgets of the Mayor's Office, contingent upon approval of the latter budget.

Until this year, the City engaged Ostroff Associates primarily to advocate for ROC the Riverway and other capital priorities, while engaging Capitol Hill Management Services on other State priorities. Mercury Public Affairs LLC was selected through a request for proposal (RFP) process as described in the attached summary.

The scope of services includes:

- Arrange for introduction, consideration, and approval of specific bills,
- Identify, review, and present comments on legislation affecting the City,
- Review of the State budget with respect to its impact on the City,
- Arrange and coordinate meetings between State and City officials,
- Coordinate Rochester's activities with the NY State Conference of Mayors and the other large cities in New York, and
- General guidance on legislative matters.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-195

Ordinance No. 2020-344
(Int. No. 434)

Authorizing an agreement for State lobbying 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 Mercury Public Affairs LLC for the provision of State lobbying services. The term of the agreement shall be one year with the option to extend the term for one additional year. The maximum annual compensation for the agreement shall be \$96,000. The compensation for the first year shall be funded in the amounts of \$48,000 from the 2020-21 Budget of the Office of the Mayor and \$48,000 from the 2021-22 Budget of the Office of the Mayor, contingent upon approval of the latter Budget. The compensation for the optional subsequent year shall be funded from subsequent years' Budgets of the Office of Mayor, contingent upon their approval.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Meléndez, Ortiz, Patterson, Peo -8.

Nays – Councilmember Lupien-1.

By Councilmember Patterson
December 15, 2020

To the Council:

The **NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 401 Authorizing the sale of real estate
- Int. No. 402 Authorizing a real estate lease agreement with Voyager Boat Sales, Inc.
- Int. No. 403 Authorizing an amendatory lease agreement for 25-37 Canal Street
- Int. No. 404 Authorizing the sale of 62-64 Scio Street
- Int. No. 407 Appropriating Community Development Block Grant-Coronavirus funds to Business Emergency Response Grant and Business Food Establishment Grant programs
- Int. No. 429 Amending Ordinance No. 2020-326 in relation to a payment in lieu of taxes agreement for the CDS Clifford and Joseph Apartments Project
- Int. No. 435 Amending Ordinance No. 2020-293 and 2020-325 in relation to the L2P Westside Housing Project

The **NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE** recommends for **CONSIDERATION** the following entitled legislation:

- Int. No. 405 Amending the Zoning Code and Map to delete six expired U-R Urban Renewal Districts
- Int. No. 406 Amending the Consolidated Community Development Plan/2019-20 Annual Action Plan, authorizing submittal of a plan and entering into agreements, and appropriating funds in relation to a third award of Community Development Block Grant-Coronavirus funds

Respectfully submitted,
Michael A. Patterson
Mary Lupien
Miguel Meléndez
Willie J. Lightfoot
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed, and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-345
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation approving the sale of three properties. City records have been checked to ensure that purchasers (except those buying unbuildable vacant lots) do not own other properties with code violations or delinquent taxes (unless noted), and have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

The first property, 141 Atkinson St is listed on the attached spreadsheet under the heading, I. Request for Proposal (RFP) Sale – Vacant Land. A public offering of the parcel was made on the City’s website. One proposal was received. It was reviewed and approved. The purchaser is an owner-occupant of the adjoining property and will use it for additional green space.

The remaining two properties, Northwest portion of 55 Cuba Pl and 122 First St are listed on the attached spreadsheet under the heading, II. Negotiated Sale – Unbuildable Vacant Land. The second property is a portion of a City-owned parcel being sold to the adjoining owner for additional yard space while leaving a lot of sufficient size for residential development in City ownership. The third property is being sold to owner of the adjoining vacant lot who is purchasing it so as to create a parcel large enough to support construction. Each of these properties is being sold for \$1.00 (as per City policy) and will be combined with the primary parcel owned by the identified adjoining owner.

The first year projected tax revenue for these three properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$968.

All City taxes and other charges, except water charges against properties being sold by the City, will be canceled on the first day of the month following adoption of the ordinance because either the City has agreed to convey the properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-196

Ordinance No. 2020-345
(Int. No. 401)

Authorizing the sale of real estate

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the negotiated sale with proposal of the following vacant parcel of land:

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
141 Atkinson St	121.37-1-12	29 x 141	4,955	\$50	Cecelia Mitchell

Section 2. The Council hereby approves the negotiated sale of the following vacant unbuildable parcels of land for \$1 each:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
55 Cuba Pl (northwest portion)	106.40-1-53.1	15 x 94	1410	Alberto D. Rios

122 First St 106.51-1-25 34 x 48 1,498 Matthew Jonathan Denker

Section 3. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-346
Re: Lease Agreement – 1015 Thomas Avenue 25 Stutson Street

Council Priority: Creating and Sustaining a Culture of Vibrancy
Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a three (3) year lease agreement with two three (3) year renewal options between the City and Voyager Boat Sales, Inc (Mark Bohner, President, 5 Stutson St, Rochester, NY) for the continued use of the premises located at 1015 Thomas Avenue and 25 Stutson Street. Voyager has leased this area from the City for more than thirty years.

The current lease expires on December 31, 2020. The new lease will commence as of January 1, 2021 and expire on December 31, 2023 with renewal options through December 31, 2029. The monthly rental amount will be \$2,750 and was established through an independent appraisal prepared by Kevin Bruckner, MAI as of October, 2020. The previous amount was \$2,650 per month.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-197

Ordinance No. 2020-346
(Int. No. 402)

Authorizing a real estate lease agreement with Voyager Boat Sales, Inc.

WHEREAS, the City of Rochester has received a proposal for the lease of 1015 Thomas Avenue and 25 Stutson Street to Voyager Boat Sales, Inc for a term of 3 years, commencing January 1, 2021, with options to renew for up to two additional 3-year terms;

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is required to follow additional procedures due to the length of the proposed lease; and

WHEREAS, the term of the lease is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the lease.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Director of Real Estate is hereby authorized to enter into an agreement with Voyager Boat Sales, Inc. for the lease of 1015 Thomas Avenue (SBL# 047.78-1-10) and 25 Stutson Street (SBL# 047.78-1-6) for a term of 3 years, with up to two 3-year renewal options. The agreement shall obligate Voyager Boat Sales, Inc. to pay rent of \$2,750 per month.

Section 2. The agreement shall be subject to the conditions specified in Section 21-23 of the Municipal Code and shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-347
Lease Revision: 25-37 Canal Street

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a revision to the lease agreement with 67-89 Canal LLC (Kenneth Glazer, Member, 259 Alexander St, Rochester, NY) for the reduction in size of the leased premises at 25-37 Canal St. The existing lease for 25-37 Canal St, authorized through City Council Ordinance No. 2012-460, has been in effect since February 1, 2013. The lease term is for five (5) years with three (3) optional five (5) year renewals through January 1, 2033.

The City has negotiated with the current tenant to reclaim 0.15 acres (6,537 square feet) of vacant lot space from the 0.83 acre leased premises with the intent to address encroachments of the building at 9-13 Canal St on the City owned lot at 25-37 Canal St. The annual rental amount for the remaining 0.68 acre portion of 25-37 Canal St will be reduced from \$3,960 to \$3,250 per year, commensurate with the 18% reduction in size of the leased premises.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-198

Ordinance No. 2020-347
(Int. No. 403)

Authorizing an amendatory lease agreement for 25-37 Canal Street

WHEREAS, as authorized by Ordinance No. 2012-460, the City of Rochester has leased to 67-89 Canal LLC an approximately 0.83 acre parcel of land located at 25-37 Canal Street for use as a parking lot, beginning on February 1, 2013 for a term of five years, with three five-year renewal options;

WHEREAS, the City has negotiated with the tenant to remove an approximately 0.15 acre portion of the leased parcel in order to address encroachments of the building located on the adjacent property at 9-13 Canal Street;

WHEREAS, the current rent is based on the appraisal of an independent consultant and increased by 10% for each five-year renewal option;

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is required to follow additional procedures due to the length of the proposed lease; and

WHEREAS, offsetting the removal of a 0.15 acre portion of the leased area with an approximately 18% reduction in the annual rent is appropriate because the leased area would be reduced by approximately 18%, the term of the amended lease is reasonable and necessary in light of its intended purpose, and the public will benefit from the continued use of the remaining leased area for needed parking while enabling the City to use the reserved portion of the parcel to resolve building encroachment issues that would interfere with the marketability and use of the adjoining property at located at 9-13 Canal Street.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with 67-89 Canal LLC that modifies the lease agreement authorized in Ordinance No. 2012-460 by subtracting from the leased area an approximately 0.15 acre area described in Exhibit "A" annexed hereto and by reducing the current annual rent from \$3,960 to \$3,250. The provisions of the lease that shall remain unchanged include the requirement of Council approval prior to the parties' opting to proceed with the second five-year renewal term and a 10% annual rent increase for each of the second and third optional five-year renewal terms.

Section 2. The amendatory lease agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-348
Re: 62-64 Scio Street Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the sale of one City-owned property located at 62-64 Scio Street, Rochester, NY (the "Property") to an entity to be formed by The Pardi Partnership Architects, P.C. (Principals: Scott Fiske, Alfred Pardi, Jason Dobbs) (the "Developer"), located at 25 Circle Street, Suite 101, Rochester, NY, for the appraised value of \$100,000.

The sale price of the Property was determined by an independent appraisal completed by Bruckner, Tillett, Rossi, Cahill & Associates.

The Property was remediated as part of the City of Rochester's 2010 Brownfield Cleanup Grant from the United States Environmental Protection Agency (EPA). The grant's purpose was to prepare the Property for commercial or mixed-use residential development, and to return it to a taxable use. A request for proposals for the purchase and redevelopment of the Property was issued on November 28, 2018. The City received three proposals, which were evaluated by staff from the Department of Neighborhood and Business Development, the Department of Environmental Services, and the Office of Planning. The Developer's proposal was recommended for selection based on the proposed development program.

The selected proposal includes four market rate owner-occupied townhomes: two along Scio Street and two along Mathews Street. The Rochester 2034 Comprehensive Plan and the City of Rochester's 2008 Housing Policy support sustaining and increasing homeownership, and this proposal promotes homeownership in a key Downtown location. The Developer is not requesting financial assistance from the City. The Developer intends to apply to COMIDA for the Core Housing Owner Incentive Exemption (CHOICE), a tax abatement for the creation of owner-occupied residential units.

The Property is narrow and will be somewhat challenging to develop. The proposed design consists of two buildings and setbacks from Mathews and Scio streets that will make staging and construction feasible. Due to the risk of soil vapor intrusion, permanent living space is not permitted on the ground floor, and the proposed design with first floor garages successfully mitigates that risk. The Developer proposes commencing construction in spring 2021 and completion in 2022.

The estimated sources and uses of funds for the Property are as follows:

Sources		Uses	
Canandaigua Nat'l Bank Loan	\$1,500,000	Land Acquisition	\$100,000
Developer Equity	<u>\$204,892</u>	Construction Costs	\$1,261,480
Total	\$1,704,892	Soft Costs	<u>\$343,412</u>
		Total	\$1,704,892

The Developer will comply with the City's policy on Minority and Women-Owned Business Enterprise (MWBE) and workforce participation. The City's MWBE goal is 30% of the purchase price, the workforce minority goal is 20% of workforce hours, the workforce female goal is 6.9% of workforce hours, and the Rochester city resident workforce goal is 25% of workforce hours.

SEQRA review is in progress. An environmental determination will be issued prior to Council Committee meetings.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-199

Ordinance No. 2020-348
(Int. No. 404)

Authorizing the sale of 62-64 Scio Street

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the sale of the following parcel of land at the following appraised value to The Pardi Partnership Architects, P.C. or an entity to be formed by its principals (collectively, the Developer), in order to develop four owner-occupied townhomes:

Address	SBL #	Lot Size	Appraised Value
62-64 Scio Street	106.81-2-57	55 x 200	\$100,000

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said property free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-349
Re: Zoning Text and Map Amendment – Removal of Six Expired U-R Urban Renewal Districts.

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending the Zoning Code and the Zoning Map of the City of Rochester by removing six expired U-R Urban Renewal Districts. Each such District was established in accordance with an Urban Renewal Plan (Plan) that was adopted by City Council for a period of 40 years. The Plan approval and expiration dates for each of the U-R Districts were as follows:

U-R Urban Renewal District	Plan Approved	Ordinance or Resolution	Expired	Current Underlying Zoning District
Genesee Crossroads	June 25, 1963	Resolution No. 63-79	June 25, 2003	CCD-R, CCD-M,
Third Ward	July 12, 1966	Ordinance No. 66-132	July 12, 2006	R-2, R-3, C-2, M-1, O-S, CCD-R, CCD-C
Mt. Read – Emerson	November 22, 1966	Ordinance No. 66-283	November 22, 2006	R-1, R-2, M-1, O-S
Southeast Loop	April 23, 1968	Ordinance No. 68-110	April 23, 2008	CCD-T CCD-B
Upper Falls	July 22, 1969	Ordinance No. 69-328	July 22, 2009	R-2, R-3, C-2, C-3, M-1, O-S, CCD-B, CCD-R
Genesee Crossroads South	September 25, 1979	Ordinance No. 79-518	September 25, 2019	CCD-R, CCD-M, CCD-T

The primary objective of the Plans was to eliminate substandard and deteriorated structures and other blighting influence in an area of the City, through demolition and subsequent redevelopment.

The land use controls and administrative procedures for the Plans were added to the Zoning Code and the Zoning Map. Although the Plans have expired, the controls and procedures continue to appear in the Zoning Code and the Zoning Map. Therefore, it is necessary to amend the Zoning Code and Zoning Map to remove the special provisions applicable to the expired Urban Renewal Districts because those provisions are part of Plans that are no longer valid.

A public hearing is required.

Respectfully Submitted
Lovely A. Warren
Mayor

Attachment No. AT-200

Ordinance No. 2020-349
(Int. No. 405)

Amending the Zoning Code and Map to delete six expired U-R Urban Renewal Districts

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 120 of the Municipal Code, the Zoning Code, as amended, is hereby further amended in Section 120-119, Urban Renewal Districts in the City of Rochester, so that Subsections A through Q read as follows:

- A. Cascade Area Urban Renewal District.
- ~~B. Genesee Crossroads South I Urban Renewal District.~~
- ~~C. Genesee Crossroads Urban Renewal District.~~
- ~~D. Mt. Read - Emerson Urban Renewal District.~~
- EB. Norton Street Urban Renewal District.
- FC. Ridgeway Urban Renewal District.
- ~~G. Southeast Loop Urban Renewal District.~~
- HD. St. Joseph's Area Urban Renewal District.
- ~~I. Third Ward Urban Renewal District.~~
- ~~J. Upper Falls Urban Renewal District.~~
- KE. Washington Square Urban Renewal District.
- LE. Brooks Landing Urban Renewal District.
- MG. Erie Canal Urban Renewal District.
- NH. La Marketa North Clinton Avenue Urban Renewal District.
- OI. Midtown Urban Renewal District.
- PJ. Dewey-Driving Park Urban Renewal District.
- QK. Marketview Heights Urban Renewal District.

Section 2. Chapter 120 of the Municipal Code, the Zoning Code, as amended, is hereby further amended in Section 120-120, Zoning designations and modifications, to delete Subsections B, C, D, G, I and J and to revise the headings of the remaining Subsections to read as follows:

- A. Cascade Area Urban Renewal District.
- EB. Norton Street Urban Renewal District.
- FC. Ridgeway Urban Renewal District.
- HD. St. Joseph's Area Urban Renewal District.
- KE. Washington Square Urban Renewal District.
- LE. Brooks Landing Urban Renewal District.
- MG. Erie Canal Urban Renewal District.
- NH. La Marketa North Clinton Avenue Urban Renewal District.
- OI. Midtown Urban Renewal District.
- PJ. Dewey-Driving Park Urban Renewal District.
- QK. Marketview Heights Urban Renewal District.

Section 3. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning map to remove the following U-R Urban Renewal District classifications so that the land parcels so classified shall revert to their respective underlying zone classifications:

- Genesee Crossroads South I Urban Renewal District;
- Genesee Crossroads Urban Renewal District;
- Mt. Read - Emerson Urban Renewal District;
- Southeast Loop Urban Renewal District;
- Third Ward Urban Renewal District; and
- Upper Falls Urban Renewal District.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-350
Re: Amending the 2019-20 Annual Action Plan, Consolidated Community Development Plan

Council Priority: Rebuilding and Strengthening Neighborhood Housing; Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation amending the 2019-20 Annual Action Plan, Consolidated Community Development Plan, which was approved by City Council at the June 18, 2019 City Council Meeting, Ordinance No. 2019-164. This legislation will:

- 1) Amend the 2019-20 Annual Action Plan to reflect the receipt and use of \$2,371,177 in round three Community Development Block Grant-Coronavirus (CDBG-CV3) funds from the Coronavirus Aid, Relief, and Economic Security (CARES) ACT.
- 2) Authorize the submission of the Plan to the U.S. Department of Housing and Urban Development (HUD); and
- 3) Authorize agreements with HUD for the receipt and use of grants to fund the Plan.
- 4) Appropriate \$237,100 of the CDBG-CV3 funds from the 2019-20 Annual action Plan to reimburse the City for staff costs associated with the administration of the funds.

The CARES Act was signed into law on March 27, 2020 and provides fast and direct economic support for American workers, families, and small businesses. The Amended Annual Action Plan describes projects and activities that will be undertaken with these federal funds to address priority needs. A public hearing on the Amended 2019-20 Annual Action Plan will be held on December 10, 2020.

The 2019-20 Annual Action Plan was previously amended at the May 12, 2020 City Council meeting, Ordinance No. 2020-131, which authorized programs funded by the first round of CDBG-CV, ESG-CV, and HOPWA-CV funding through the CARES Act. The City was not allocated any funds in the second tranche of CDBG-CV funding, as these funds were exclusively allocated to States and insular areas. Approval by the City Council of the Amended Annual Action Plan is required by HUD.

Respectfully Submitted
Lovely A. Warren
Mayor

Ordinance No. 2020-350
(Int. No. 406)

Amending the Consolidated Community Development Plan/2019-20 Annual Action Plan, authorizing submittal of a plan and entering into agreements, and appropriating funds in relation to a third award of Community Development Block Grant-Coronavirus funds

WHEREAS, in Ordinance No. 2019-164, the City approved and adopted a Consolidated Community Development Plan/2019-20 Annual Action Plan (the 2019-20 Action Plan) to fund and implement community development programs under the federal Community Development Block Grant (CDBG) program;

WHEREAS, the federal Coronavirus Aid, Relief and Economic Security Act enacted on March 27, 2020 (CARES Act) authorizes the U.S. Department of Housing and Urban Development (HUD) to provide supplemental CDBG program funding to municipalities to implement additional activities to prevent, prepare for, and respond to difficulties arising out of the coronavirus pandemic;

WHEREAS, on April 2, 2020, HUD awarded the City of Rochester a portion of its first round of supplemental CARES Act funding that included \$4,881,038 for the CDBG-Coronavirus (CDBG-CV) program;

WHEREAS, on May 13, 2020 in Ordinance No. 2020-130, the City adopted amendments to the 2019-20 Action Plan that include the addition of \$4,881,038 for CDBG-CV program services (CDBG-CV1 Fund);

WHEREAS, after HUD issued a second round of CDBG-CV funding that went only to states, on September 11, 2020, HUD awarded the City a third round of supplemental CARES Act funding for CDBG programs consisting of \$2,371,177 to continue and enhance the City's CDBG-CV programs (CDBG-CV3 Fund);

WHEREAS, a plan for amending the 2019-20 Action Plan to incorporate the receipt and use of a \$1,424,700 portion of the CDBG-CV3 Fund for coronavirus epidemic relief activities (Amendment Plan) has been prepared, presented to the City Council, and circulated for public review and comment through a process that was designed to engage residents and stakeholders in compliance with the CARES Act's expedited review requirements, consistent with emergency social distance and public safety requirements, and as set forth in the amended 2019-20 Citizen Participation Plan that is included in the Amendment Plan;

WHEREAS, the publication of the Amendment Plan and the solicitation of community input included:

- (1) Beginning Friday, December 4, 2020, posting the Amendment Plan on-line to the City's Consolidated Plan webpage: <https://www.cityofrochester.gov/conplan> and emailing notice of the Plan and a link to the webpage to a list of over 400 local stakeholders, including staff of community organizations and agencies, neighborhood and business association leaders, and Rochester residents and inviting the submittal of comments for a public comment period to extend through 5:00 PM on December 9, 2020;
- (2) Presenting the written comments received to the members of City Council beforehand and reading them into the record during a City Council Public Hearing held on December 10, 2020; and
- (3) streaming the Public Hearing live on the Council's Facebook <https://www.facebook.com/RochesterCityCouncil/> and YouTube https://www.youtube.com/channel/UC_U7nbtS5kEz4bjEM8AGXIQ?view_as=subscriber pages;

WHEREAS, the City Council has reviewed the public comments and recommendations on the Amendment Plan; and

WHEREAS, the City Council has reviewed with City staff the needs, strategies and proposed actions to be addressed in the Amendment Plan.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves and adopts the Amendment Plan as an amendment to the 2019-20 Action Plan, including the addition and appropriation of \$1,424,700 in CARES Act funding for the City's CDBG-CV program.

Section 2. The Mayor is hereby authorized to submit the Amendment Plan to HUD. The Mayor is hereby further authorized to provide any such information that may be required by HUD and to execute any grant agreement, project sponsor agreement, or any other documentation as may be necessary to fund and carry out the activities provided for in the Amendment in accordance with the CARES Act and with any other applicable community development laws and regulations.

Section 3. The Council hereby appropriates \$237,100 from the CDBG-CV3 Fund added to the CDBG program allocations of the 2019-20 Action Plan in Section 1 herein for the Department of Neighborhood and Business Development to administer and monitor the CDBG-CV projects and services that are provided for under the 2019-20 Action Plan as amended.

Section 4. The agreements and documents authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed Unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-351
Re: Business Emergency Retention Grant, Assistance for Food Establishments Grant, and Aging in Place Food Distribution Programs, CDBG-CV3 - CARES Act

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the receipt and use of the third round of CARES Act Community Development Block Grant-Coronavirus (CDBG-CV3) as identified in the 2019-20 Annual Action Plan, Consolidated Community Development Plan. The funding will be used to implement programs to assist businesses who have been severely impacted during the COVID 19 crisis. This legislation will:

- 1) Appropriate \$500,000 in CDBG-CV3 funding from the 2019-20 Annual Action Plan for the Business Emergency Retention Grant (BERG) program, and authorize the Mayor to enter into agreements with businesses necessary to implement the program. The funds will be utilized towards working capital for businesses who are incurring daily operating expenses without income revenue due to the COVID 19 crisis. Eligible operating expenses will include: rent/mortgage, utilities, payroll, insurance, and inventory among other similar related operating expenses.
- 2) Appropriate \$637,600 in CDBG-CV3 funding from the 2019-20 Annual Action Plan for the Assistance for Food Establishments Grant program, and authorize the Mayor to enter into agreements with businesses and organizations necessary to implement the program. The funds will be utilized by restaurants to prepare meals for city residents and will cover operating expenses required to assist in preparing and distributing meals for city residents, including similar related expenses as mentioned above for the BERG program.
- 3) Authorize \$40,000 as maximum compensation for an agreement with Goodwill of the Finger Lakes, Inc. (Jennifer Lake, President/CEO, 422 South Clinton Ave, Rochester, NY) to manage intake and program logistics for the Assistance for Food Establishments Grant program through the 211 call center. The cost of the agreement will be funded from the CDBG-CV3 program funding appropriated herein. The term of the agreement will extend from execution through June 30th, 2021.
- 4) Authorize \$50,000 as maximum compensation for an agreement with Lifespan of Greater Rochester, Inc. (Anne Marie Cook, President/CEO, 1900 S. Clinton Avenue, Brighton) for services to implement the Aging in Place Home Food Distribution Program. The cost of the agreement will be appropriated from the CDBG-CV3 funding allocation in the 2019-20 Annual Action Plan. The term of the agreement will extend from execution through June 30th, 2021. The program will support food purchase and delivery in order to help provide a safe and comfortable environment for the elderly amid COVID 19 concerns. Elderly city homeowners are eligible to participate in the program if they earn 80% or less than the median area income, as established and updated by HUD.

The BERG and Assistance for Food Establishments Grant programs were originally authorized via Ordinance No. 2020-131. The programs have been successful to date, drawing large demand from businesses and citizens respectively. Please see program outcomes as of October 31st in the chart below.

Program Outcomes as of October 31, 2020

Program	Funding Previously Allocated	Funding Spent as of 10/31	Businesses Assisted	Food Deliveries	Senior Citizens Served
Aging in Place Home Food Distribution	\$20,000	\$20,000	N/A	Not Reported	3,736
Assistance for Food Establishments Grant	\$300,000	\$123,850.93	20	13,741	1,802
Business Emergency Retention Grant – CDBG-CV funded	\$2,000,000	\$1,409,623.67	221		
Business Emergency Retention Grant – CDF funded	\$411,135	\$411,135	215		

Goodwill was previously contracted for the same services for Phase I of the Assistance for Food Establishments Grant program and it is proposed that they continue in this capacity for Phase II. A no-RFP justification is attached. The funding previously allocated for the program is expected to run out in November, and the Department of Neighborhood and Business Development is working swiftly to ensure Phase II of the program is up and running to serve residents throughout the winter months. As was done during Phase I of the program, restaurants will be awarded contracts following a Notice of Funding Availability.

The Aging in Place Home Food Distribution Program was originally authorized via Ordinance No.: 2020-137. Lifespan of Greater Rochester was previously contracted for the same services for Phase I of the program and it is proposed that they continue in this capacity for Phase II. The funding previously allocated for the program has been fully spent. 3,736 senior homeowners were served through Phase I of the program.

Respectfully Submitted
 Lovely A. Warren
 Mayor

Attachment No. AT-201

Ordinance No. 2020-351
 (Int. No. 407)

Appropriating Community Development Block Grant-Coronavirus funds to Business Emergency Response Grant and Business Food Establishment Grant programs

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby appropriates \$500,000 from the third round Community Development Block Grant-Coronavirus (CDBG-CV3) allocation of the Consolidated Community Development Plan/2019-20 Annual Action Plan (2019-20 Action Plan) to implement the Business Emergency Retention Grant program (BERG program) as provided for in the Amendment Plan approved in Ordinance No. 2020-350.

Section 2. The Council hereby appropriates \$637,600 from the CDBG-CV3 allocation of the 2019-20 Action Plan to implement the Assistance for Food Establishments Grant program as provided for in the Amendment Plan (Food Establishment program) approved in Ordinance No. 2020-350, provided, however, that if the full amount of the appropriation cannot be expended on a timely basis for the Food Establishment program, the remainder is hereby appropriated to the BERG program.

Section 3. The Mayor is hereby authorized to enter into grant agreements with the recipients of funding from the programs authorized in Sections 1 and 2 herein. The term of each such agreement shall extend to no later than June 30, 2021.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Goodwill of the Finger Lakes, Inc. to manage intake and program logistics for the Assistance for Food Establishments Grant program. The maximum compensation for the agreement shall be \$40,000, which shall be funded from the CDBG-CV3 allocation appropriated in Section 2 herein. The term of the agreement shall extend through June 30, 2021.

Section 5. The Mayor is hereby authorized to enter into a professional services agreement with Lifespan of Greater Rochester, Inc. for services to implement the Aging in Place Home Food Distribution Program. The maximum compensation for the agreement shall be \$50,000, which shall be funded from the CDBG-CV3 allocation of the 2019-20 Action Plan as provided for in the Amendment Plan approved in Ordinance No. 2020-350. The term of the agreement shall extend through June 30, 2021.

Section 6. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-352
Re: Technical Amendment- CDS Clifford and Joseph Apartments Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance No. 2020-326 relating to developing the CDS Clifford and Joseph Apartments Project comprised of approximately 164 units of housing affordable to households with extremely low, very low and low incomes and other amenities (the Project). The ordinance authorized the sale of 23 parcels of land to CDS Monarch, Inc., CDS Clifford Ave, LLC, or an affiliated partnership or housing development fund (collectively, the Developer), a loan agreement in the amount of \$1,000,000, and a payment in lieu of taxes agreement (PILOT Agreement) with the Developer for 25 parcels of land for a term of 30 years.

This amendment will change the term of the PILOT Agreement from 30 years to a term commensurate with that of the loan provided by the New York State Housing Finance Authority, which loan has a maturity date of March 1, 2053. This change is pursuant to New York Private Housing Finance Law Section 33(1) (a), which allows that such a “shelter rent” PILOT Agreement may continue in force and effect as long as loans used primarily for the residential portion of a project remain outstanding.

Respectfully Submitted
Lovely A. Warren
Mayor

Ordinance No. 2020-352
(Int. No. 429)

Amending Ordinance No. 2020-326 in relation to a payment in lieu of taxes agreement for the CDS Clifford and Joseph Apartments Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2020-326, authorizing the sale of City-owned parcels, a loan agreement and a payment in lieu of taxes (PILOT) agreement for the CDS Clifford and Joseph Apartments Project, is hereby amended to read in Section 5 thereof as follows:

Section 5. The term of the PILOT Agreement shall run for 30 years be commensurate with that of the Project loan provided by the New York State Housing Finance Authority or its successor in interest, which loan currently has a maturity date of March 1, 2053, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated for the purpose of providing affordable housing in accordance with the conditions for maintaining low income housing tax credits and financing as well as other legal requirements.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-353
Re: Technical Amendment – Ordinance No. 2020-293, L2P Westside Affordable Housing Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Rochester 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance No. 2020-293 to correct a typographical error in the SBL number for one property associated with the L2P Westside Affordable Housing Project. L2P Westside (“Lease to Purchase”) is a new construction project, a mixed-use, low-income housing project consisting of multiple sites located in the Southwest quadrant being undertaken by the Urban League of Rochester Economic Development Corporation (ULREDC) (Carolyn Vitale, Vice-President and COO), 312 State Street, Rochester, NY. Ordinance No. 2020-293 was previously amended via Ordinance 2020-317 to fix a typographical error. The City is selling 39 parcels to ULREDC, or an affiliated Housing Development Corporation, in order to build 41 single-family properties for households at or below 60% Median Family Income (MFI).

The change is detailed below:

Original Property Address	Original SBL	Revised Property Address	Revised SBL
26 Bartlett St	121.6-1-30	26 Bartlett St	121.61-1-30

All other terms and conditions approved in Ordinance No. 2020-293 remain the same.

Respectfully Submitted
 Lovely A. Warren
 Mayor

Ordinance No. 2020-353
 (Int. No. 435)

Amending Ordinance Nos. 2020-293 and 2020-325 in relation to the L2P Westside Housing Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Section 1 of Ordinance No. 2020-293 as amended by Ordinance No. 2020-325, authorizing the sale of City-owned parcels and a payment in lieu of taxes agreement for the L2P Westside Housing Project, is hereby further amended so that the entry for 26 Bartlett Street shall read as follows:

Address	Parcel Number	Sales Price
26 Bartlett St	121.6-1-30 <u>121.61-1-30</u>	\$ 425.00

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By Councilmember Gruber
 December 15, 2020

To the Council:

The **PARKS & public WORKS committee** recommends for **adoption** the following entitled legislation:

- Int. No. 408 Authorizing an agreement for a composting education pilot program
- Int. No. 409 Authorizing an agreement for occupational health services related to the City’s REJob 2.0 Training Program
- Int. No. 410 Resolution authorizing the implementation, and funding in the first instance of 100%, of the federal-aid State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor
- Int. No. 411 Amending Ordinance Nos. 2009-247 and 2019-192 relating to acquisitions for the Lawn Street Improvement Project and the Manor Parkway Improvement Project
- Int. No. 412 Authorizing funding and agreement for the East Main Street Improvement Project
- Int. No. 413 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,462,000 Bonds of said City to finance the costs of the East Main Street Improvement Project
- Int. No. 414 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,700,000 Bonds of said City to finance water line and water service improvements associated with the East Main Street Improvement Project

- Int. No. 415 Resolution authorizing the implementation, and funding in the first instance of 100%, of the federal-aid State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor
- Int. No. 416 Appropriating funds from the Rochester Pure Waters District
- Int. No. 417 Authorizing an amendatory agreement in relation to the Waring Road Improvement Project
- Int. No. 418 Authorizing an agreement for the Genesee Firehouse Upgrades project
- Int. No. 419 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$350,000 Bonds of said City to finance the costs of the Genesee Firehouse Upgrades project
- Int. No. 421 Authorizing agreement for Vacuum Oil Brownfield Opportunity Area River Trail project
- Int. No. 422 Authorizing an amendatory agreement for the Priority Bicycle Boulevards Implementation Project

The **PARK & PUBLIC WORKS COMMITTEE** recommends for **CONSIDERATION** the following entitled legislation:

- Int. No. 420 Authorizing geometric changes relating to the Main Street Streetscape Phase II project

Respectfully submitted,
 Mitch Gruber
 Malik Evans
 Jose Peo
 Willie J. Lightfoot
 Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-39
 Re: Grant Agreement – Inner Loop North Transformation Project Scoping Study

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Inner Loop North Transformation Project Scoping Study. This legislation will approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City’s prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This is a New York State-funded project that is administered by the City under an agreement with NYSDOT.

The Inner Loop North Transformation Project Scoping Study will perform an in-depth alternatives analysis to assess the feasibility for highway removal or reconstruction within the Inner Loop North corridor, from I-490 to the Inner Loop Expressway’s new terminus at North Union Street. The goal is to extend the proven success of the recently-completed Inner Loop East Transformation project and continue reconnecting neighborhoods with downtown, creating developable land and green space, generating investment and economic growth, and enhancing livability and competitiveness.

The project will evaluate alternatives for removing the expressway and/or minimizing its negative impact on the surrounding area. The result will be a preferred alternative, detailed cost estimates, and a thorough Benefit-Cost Analysis, which can be advanced as one or more projects to the engineering and design process in the future.

Concept-level planning and design services started in early 2020. The source of funds is New York State, secured through the efforts of the late Assemblyman David F. Gantt, with no City match required. The agreement will result in the creation and/or retention of the equivalent of 12 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Resolution No. 2020-39
(Int. No. 385)

Resolution authorizing the implementation and funding in the first instance of the State-aid Program eligible costs of a capital project and appropriating funds therefor

WHEREAS, a Project for Inner Loop North Study, PIN 4CR0.10 (the "Project") is eligible for funding under a New York State Program administered by the NYS Department of Transportation (NYSDOT);

WHEREAS, a sum not to exceed \$1,000,000 in Program funding is available to progress the Project; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the State share of the costs of preliminary engineering and design work.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester as follows:

That the Council of the City of Rochester hereby approves the above-subject Project;

That the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the cost of preliminary engineering and design work for the Project or portions thereof;

That the sum of \$1,000,000 is hereby appropriated from Ordinance No. 2018-240 and made available to cover the cost of participation in the above described phase of the Project;

That in the event that the full State share costs of the Project exceed the amount appropriated above, the Council of the City of Rochester shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Engineer thereof;

THAT the Mayor of the City of Rochester be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for State Aid on behalf of the City of Rochester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible;

THAT a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project between the City of Rochester and the State of New York; and

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-354
Re: Grant Acceptance–New York State Pollution Prevention Institute Community Grant Program – Composting Education Pilot Program
Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the development of a Composting Education Program for the City of Rochester. This legislation will:

1. Authorize the Mayor to enter into a grant agreement with the New York State Pollution Prevention Institute (NYSP2I); and,
2. Authorize the receipt and use of \$20,000 in anticipated grant funds from the NYSP2I to finance the Project.

In September 2020, the City was selected to receive \$20,000 in grant funds through NYSP2I's Community Grant Program. NYSP2I is sponsored by the New York State Department of Environmental Conservation and operated by Rochester Institute of Technology. The grant program is designed to support projects that raise awareness of pollution prevention practices leading to implementation at the local level. With this grant, the City will implement a pilot-scale education program that will raise awareness related to the pollution prevention practices of food waste reduction and composting. This grant will provide partial reimbursement for City staff time to implement the pilot educational component for the City's Food Waste Reduction, Donation and Organics Recycling program. Staff in the Department of Environmental Services Division of Environmental Quality will implement the Project. The City will provide \$20,000 in match funds through in-kind staff time.

The Project will reduce the amount of landfilled food waste resulting in lower greenhouse gas emissions in accordance with strategies and actions outlined in the City of Rochester Community-wide Climate Action Plan and help to create a sustainable community, ready for continued growth and vibrancy.

Once the grant agreement with the NYSP2I is in place, the City will begin to implement the Project. The Project is expected to be completed by December 2021. The term of the agreement is one year.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-354
(Int. No. 408)

Authorizing an agreement for a composting education pilot program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Pollution Prevention Institute for the receipt and use of a grant in the amount of \$20,000 to implement a pilot composting education program as part of the City’s Food Waste Reduction, Donation and Organics Recycling program. The term of the agreement shall be one year.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-355
Re: USEPA Environmental Workforce Development & Job Training Program Professional Services Agreement – Occupational Health Services

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to Occupational Health Screening Services as part of the Environmental Workforce Development and Job Training Program (EWDJT) funded by the United States Environmental Protection Agency (USEPA).

This legislation will establish \$26,000 as maximum compensation for an agreement with Workfit Medical, LLC (Brian Banas, Chief Executive Officer, 1160 Chili Avenue, Suite 200, Rochester, NY) to provide occupational health services including drug and alcohol testing and independent medical examinations to candidates selected to participate in the City of Rochester REJob 2.0 Training Program. Drug testing parameters, which include THC, are determined by USEPA.

The REJob Training Program is a comprehensive, multi-partner effort designed to lead to sustainable, long-term environmental employment and to ensure affected residents share in the economic benefits derived from brownfield redevelopment. The REJob program will specifically target dislocated workers; severely underemployed individuals; and unemployed individuals including low-income and minority residents, veterans, and those with little or no advanced education.

The cost of the agreement will be financed from \$26,000 in USEPA Environmental Workforce Development & Job Training grant funds appropriated in Ordinance 2019-375. The City issued a request for proposal (RFP) for occupational health services on October 2, 2020 and received three proposals. Workfit Medical, LLC was selected based on the experience and expertise of the proposed project team, its ability to meet the City’s schedule, the quality and cost of its proposal, and positive prior experience with the firm on the City’s previous USEPA EWDJT grant.

The proposed agreement will have an initial term of two years with a provision for a one-year extension based on mutual written agreement. It is anticipated that the project will begin in December 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-202

Ordinance No. 2020-355
(Int. No. 409)

Authorizing an agreement for occupational health services related to the City’s REJob 2.0 Training Program

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 Workfit Medical, LLC to provide occupational health services to candidates selected to participate in the City's REJob 2.0 Training Program. The maximum compensation for the agreement shall be \$26,000, which shall be funded from United States Environmental Protection Agency Environmental Workforce Development and Job Training grant funds appropriated in Ordinance No. 2019-375. The term of the agreement shall be two years with the option to extend for one additional year upon mutual agreement.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-40
Re: Grant Agreement – 2019 Preventive Maintenance Northwest Group 5 (Beach Avenue, Dewey Avenue and Lake Avenue)

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the 2019 Preventive Maintenance Northwest Group 5 project. This legislation will approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City's prior authorizations of the Project (Ordinance No. 2017-36, Ordinance No. 2020-7, and Ordinance No. 2020-8), commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

This federal aid project, administered by the City under agreement with the NYSDOT includes three locations:

1. Beach Avenue from Lake Avenue to the West City Line; and,
2. Dewey Avenue from Eastman Avenue to the North City Line; and,
3. Lake Avenue from the Lake Ontario State Parkway to Beach Avenue

The project included milling and resurfacing of the pavement, spot curb replacements, installations and upgrades of sidewalk curb ramps, manhole repairs and adjustments, receiving basins, water valve castings, and new traffic markings.

Construction began in spring 2020 and is substantially complete.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-203

Resolution No. 2020-40
(Int. No. 410)

Resolution authorizing the implementation, and funding in the first instance of 100%, of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor

WHEREAS, a Project for the Northwest Preventive Maintenance Group 5, P.I.N. 4CR0.02 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of design, construction and construction inspection services.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester as follows:

THAT the Council of the City of Rochester hereby approves the above-subject Project;

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of design, construction and construction inspection works for the Project or portions thereof;

THAT the sum of \$4,859,707 appropriated pursuant to Ordinance No. 2017-36 (\$384,000), Ordinance No. 2020-7 (\$3,675,550) and Ordinance No. 2020-8 (\$800,157) are made available to cover the cost of participation in the above described phases of the Project;

THAT, in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Council of the City of Rochester shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Engineer thereof;

THAT the Mayor of the City of Rochester be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Rochester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible;

THAT a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-356
Re: Technical Amendment – Ordinance No. 2009-247 and Ordinance No. 2019-192 for the Lawn Street and Manor Parkway Improvement Projects

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance No. 2009-247 and Ordinance No. 2019-192, to revise the values of acquisitions associated with the Lawn Street Improvement Project and the Manor Parkway Improvement Project. The changes are detailed below:

Property Address	Owner	Ordinance Number	Original Value	Revised Value
89 East Avenue	RG&E	2009-247	\$1,400	\$1,525
141 East Avenue	Christ Church	2009-247	\$ 400	\$ 450
80-110 Manor Parkway	S&P Developers	2019-192	\$ 200	\$ 500

The acquisition and recording of the above listed permanent easements lapsed requiring new appraisals to be completed resulting in value changes. Appraisal reports were prepared by Bruckner, Tillett, Rossi, Cahill & Associates on May 4, 2020.

Property addresses and their associated street improvement project are as follows, 89 and 141 East Avenue (Lawn Street Improvement Project) and 80-110 Manor Parkway (Manor Parkway Improvement Project).

The properties compensation amount increased from \$1,400 to \$1,525 for 89 East Avenue, from \$400 to \$450 for 141 East Avenue and from \$200 to \$500 for 80-110 Manor Parkway. The total additional cost of \$475 will be funded with 2018-19 Cash Capital.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-356
(Int. No. 411)

Amending Ordinance Nos. 2009-247 and 2019-192 relating to acquisitions for the Lawn Street Improvement Project and the Manor Parkway Improvement Project

BE IT ORDAINED by the Council of the City of Rochester as follows:

Section 1. Sections 1 and 2 of Ordinance No. 2009-247 are hereby amended to read in their entirety as follows:

Section 1. The Council hereby approves the acquisition of de minimis easements over the following parcels for street purposes as a part of the Lawn Street Improvement Project:

Property Owner	SBL #	Sq. Ft.	Type	Value
Rochester Gas and Electric Corporation	121.24-2-38	61+/-	Permanent Easement	\$1,400 <u>\$ 1,525</u>
Christ Church	121.25-2-2	18+/-	Permanent Easement	400 <u>450</u>
Rochester Gas and Electric Corporation	121.24-2-38	629+/-	Temporary Easement	1,600

Section 2. The acquisitions shall obligate the City to pay an amount not to exceed ~~\$3,400~~ \$3,575, and said amount, or so much thereof as may be necessary, and necessary closing costs, shall be funded in the amount of \$175 from 2018-19 Cash Capital and the remainder from the 2007-08 Cash Capital Allocation.

Section 2. Sections 4 of Ordinance No. 2013-294, as modified by Section 1 of Ordinance No. 2019-192, is hereby amended to read in its entirety as follows:

Section 4. The Mayor is hereby authorized to acquire for dedication as Manor Parkway right-of-way the de minimus parcel comprising approximately 236 square feet as set forth in Section 3 from S & P Developers, Inc. by negotiation or condemnation in conjunction with improvements for the Manor Parkway Improvement Project. The cost of the acquisition shall not exceed ~~\$200~~ \$500 plus necessary closing costs, which shall be funded in the amount of \$300 from 2018-19 Cash Capital and the remainder from 2017-18 Cash Capital.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-357
Ordinance No. 2020-358
Ordinance No. 2020-359
Resolution No. 2020-41

Re: East Main Street Improvement Project (North Goodman Street to Culver Road)

Council Priority: Creating and Sustaining a Culture of Vibrancy and Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the East Main Street Improvement Project. This legislation will:

1. Appropriate \$4,495,980 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the construction and Resident Project Representation (RPR) services for the project; and,
2. Authorize the issuance of bonds totaling \$3,462,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction and RPR services for the project; and,
3. Authorize the issuance of water bonds totaling \$1,700,000 and the appropriation of the proceeds thereof to finance the water portion of construction and RPR services for the project; and,
4. Authorize the receipt and use of \$1,500,000 from anticipated reimbursements from New York State Urban Development Corporation, doing business as Empire State Development (ESD) for the project; and,
5. Establish \$1,750,000 as maximum compensation for a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro Giovenco, P.E., C.E.O., Rochester, New York) for Resident Project Representation (RPR) services. The cost of the agreement will be funded from the sources outlined in the chart on the following page; and,
6. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City’s prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

Street improvements include street reconstruction, new sidewalks and curb ramps, bicycle accommodations, driveway aprons, receiving basins, water main, water services, hydrants, lighting, signals, signage, pavement markings, tree plantings, and other streetscape improvements.

The project was designed by Erdman, Anthony and Associates, Inc. (Ordinance No. 2018-103 and Ordinance No. 2020-40).

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro Giovenco, P.E., C.E.O., Rochester, New York) was selected for RPR Services through a Request for Proposal process, which is described in the attached summary. The agreement shall have a term of 6 months after final completion of the project.

Bids for construction were received on October 21, 2020. The apparent low bid of \$9,933,000 was submitted by Villager Construction, Inc. (Timothy O Lawless, C.E.O., 425 Old Macedon Center Road, Fairport, New York).

The project will be funded as follows:

Source of Funds	Design & ROW Acquisition	Construction	RPR	Contingency	Total
Federal Aid Appropriated Ordinance Nos. 2018-103 and 2020-40	726,983	0	0	0	\$726,983
Marchiselli Aid appropriated Ordinance No. 2018-103	44,524	0	0	0	\$44,524
Marchiselli Aid appropriated Ordinance No. 2020-40	95,160	0	0	0	\$95,160
Federal Aid appropriated herein	0	3,820,000	675,980	0	\$4,495,980
Bonds authorized herein	0	2,559,160	794,050	108,790	\$3,462,000
Water bonds authorized herein	0	1,424,340	250,530	25,130	\$1,700,000
ESD grant appropriated herein	0	1,500,000	0	0	\$1,500,000
Pure Waters Reimbursement appropriated December 2020 Council	0	461,710	0	38,290	\$500,000
2015-16 Cash Capital	104,872	0	0	0	\$104,872
2016-17 Cash Capital	12,086	0	0	0	\$12,086
2017-18 Cash Capital	19,750	0	0	0	\$19,750
2018-19 Cash Capital	99,837	0	0	0	\$99,837
2019-20 Cash Capital	0	2,790	29,440	2,770	\$35,000
2020-21 Cash Capital	0	165,000	0	0	\$165,000
Total	\$1,103,212	\$9,933,000	\$1,750,000	\$174,980	\$12,961,192

Construction is anticipated to begin in early 2021 with substantial completion in fall 2022. The construction of the project will result in the creation and/or retention of the equivalent of 128.9 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-204

Ordinance No. 2020-357
(Int. No. 412)

Authorizing funding and agreement for the East Main Street Improvement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$4,495,980 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the costs of construction and resident project representation services for the East Main Street Improvement Project (North Goodman Street to Culver Road) (the Project).

Section 2. The Council hereby authorizes the receipt and use of \$1,500,000 in anticipated reimbursements from the New York State Urban Development Corporation, doing business as Empire State Development (ESD) to fund a portion of the costs of the Project.

Section 3. The Mayor is hereby authorized to enter into grant agreements with the funding agencies or their designees if necessary to effectuate the City's receipt of the funds authorized in Sections 1 and 2 herein.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide resident project representation services for the Project. The maximum compensation for the agreement shall be \$1,750,000, which shall be funded in the amounts of \$675,980 from the FHWA reimbursements appropriated in Section 1 hereof, \$794,050 from the proceeds of City bonds authorized for the Project in a concurrent ordinance, \$250,530 from

the proceeds of City bonds authorized for water line and water service improvements related to the Project in a concurrent ordinance, and \$29,440 in 2019-20 Cash Capital. The term of the agreement shall continue to six months after final completion of the Project.

Section 5. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-358
(Int. No. 413)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,462,000 Bonds of said City to finance the costs of the East Main Street Improvement 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 East Main Street Improvement Project from North Goodman Street to Culver Road, including street reconstruction, new sidewalks and curb ramps, bicycle accommodations, driveway aprons, receiving basins, water mains, services and hydrants, lighting, traffic signals, signage, pavement markings, tree plantings and other streetscape improvements (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 \$11,261,192. The plan of financing includes the issuance of \$3,462,000 in bonds of the City, which amount is hereby appropriated therefor, \$4,495,980 in reimbursements from the Federal Highway Administration (FHWA) appropriated in a concurrent ordinance, \$726,983 in reimbursements from the FHWA appropriated in Ordinance No. 2018-103 as modified by Ordinance No. 2020-40, \$44,524 in Marchiselli Aid appropriated in Ordinance No. 2018-103, \$95,160 in Marchiselli Aid appropriated in Ordinance No. 2020-40, \$1,500,000 from Empire State Development appropriated in a concurrent ordinance, \$500,000 in anticipated reimbursements from Pure Waters authorized in a concurrent ordinance and hereby appropriated therefor, \$104,872 in 2015-16 Cash Capital, \$12,086 in 2016-17 Cash Capital, \$19,750 in 2017-18 Cash Capital, \$99,837 in 2018-19 Cash Capital, \$35,000 in 2019-20 Cash Capital, \$165,000 in 2020-21 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$3,462,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$3,462,000. 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 Section 11.00 a. 20 of the Law, is fifteen (15) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, pay-able 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:

Ayes – President Scott, Councilmembers Evans, Gruber, Lightfoot, Lupien, Meléndez, Patterson, Peo -8.

Nays - None -0.

Councilmember Harris vote was not recorded due to technical difficulties during Zoom Council meeting.

Ordinance No. 2020-359
(Int. No. 414)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,700,000 Bonds of said City to finance water line and water service improvements associated with the East Main Street Improvement 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 cost of water line and water service improvements for the entire length of the street related to the East Main Street Improvement Project extending from North Goodman Street to Culver Road (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 \$1,700,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,700,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,700,000 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 \$1,700,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

Resolution No. 2020-41
(Int. No. 415)

Resolution authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor

WHEREAS, a Project for the East Main Street Reconstruction (N. Goodman Street to Culver Road), P.I.N. 4CR0.05 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of design, construction support and construction inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester as follows:

THAT the Council of the City of Rochester hereby approves the above-subject Project;

THAT the Council of the City of Rochester hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the cost of design, construction support and construction inspection works for the Project or portions thereof;

THAT the sum of \$12,961,192 appropriated pursuant to Ordinance No. 2018-103 as amended by Ordinance No. 2020-40 (\$1,008,000), Ordinance No. 2020-227 (\$95,212), Ordinance No. 2020-357 (\$6,695,980), Ordinance No. 2020-358 (\$3,462,000), and Ordinance No. 2020-359 (\$1,700,000) are made available to cover the cost of participation in the above described phases of the Project;

THAT, in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Council of the City of Rochester shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Engineer thereof;

THAT the Mayor of the City of Rochester be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Rochester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible;

THAT a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-360
Re: Appropriation – Rochester Pure Waters District, Street Improvement Projects

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing the receipt and use of up to \$750,000 in anticipated reimbursements from the Rochester Pure Waters District (RPWD) to fund eligible portions of sewer costs on street improvement projects in accordance with the agreement authorized between the City and RPWD via Ordinance No. 2010-438.

Street improvements can require ancillary repairs to the sewer system including adjustments, repairs, replacements, and improvements to the sewer system manholes and catch basins. In the agreement referenced above, RPWD assumed responsibility for these maintenance costs and agreed to reimburse the City annually for the work.

The sewer improvements will result in the creation and/or retention of the equivalent of 8.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-360
(Int. No. 416)

Appropriating funds from the Rochester Pure Waters District

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to accept and use reimbursement funds in the amount of \$750,000 from the Rochester Pure Waters District for sewer improvements associated with the City’s street improvement program in accordance with the agreement authorized by Ordinance No. 2010-438.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2020-361
Waring Road Improvement Project (Culver Road to Norton Street)

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Waring Road Improvement Project. This legislation will authorize an amendatory agreement with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. (Todd M. Liebert, C.E.O., 205 Saint Paul Street, Suite 500, Rochester, New York) to provide additional design services related to the project.

The original agreement authorized in October 2019 (Ordinance No. 2019-313) was for engineering design, right-of-way incidentals, and acquisition plan and established maximum compensation at \$175,000. The original agreement was amended in August 2020 (Ordinance No. 2020-263) to reduce the anticipated reimbursement from NYSDOT and replace with Cash Capital to maintain the maximum compensation at \$175,000. This amendment will increase the maximum compensation by \$100,000 to a maximum total of \$275,000 for additional engineering services related to greater vehicular fluency in final design, and optimization of maintenance and protection of traffic plans to provide a greater level of service throughout the construction phase.

The amendatory agreement will be funded from:

2014-15 Cash Capital	\$ 21,401
<u>2016-17 Cash Capital</u>	<u>\$ 78,599</u>
Total	\$100,000

The term of the agreement shall extend until six (6) months after final acceptance of the project.

This is a New York State funded project administered by the City under agreement with the New York State Department of Transportation (NYSDOT).

The Project includes pavement reconstruction, pavement width changes, realignment of intersecting streets, new curb and bump-outs at Northland Avenue and Culver Road, curb ramps, sidewalks, driveway aprons, new water main, water services, hydrants, catch basins, manhole adjustments/replacements, stormwater bioretention features, traffic signal upgrades, telecommunication conduit, pavement markings, designated bicycle lanes, signage and tree plantings.

Design will be complete in late 2020 and construction is anticipated to begin in spring 2021 with substantial completion by fall 2022. This amendatory agreement will result in the creation and/or retention of the equivalent of 1.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-205

Ordinance No. 2020-361
(Int. No. 417)

Authorizing an amendatory agreement in relation to the Waring Road Improvement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with the CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. to provide additional design services for the Waring Road Improvement Project (Culver Road to Norton Street). The agreement authorized in Ordinance No. 2019-313 and amended in Ordinance No. 2020-263 is hereby amended to increase the maximum compensation by \$100,000 to a new total of \$275,000. The amendatory compensation shall be funded in the amounts of \$21,401 from 2014-15 Cash Capital and \$78,599 from 2016-17 Cash Capital.

Section 2. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-362
Ordinance No. 2020-363
Re: Genesee Firehouse Upgrades

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to Genesee Firehouse Upgrades. This legislation will:

- 1) Establish \$110,000 as maximum compensation for a professional services agreement with Architectura, P.C.,(Jennifer F. Takatch, R.A., Principal, 17 Pitkin Street, Suite 100, Rochester, NY) for design and construction administration services; and,
- 2) Authorize the issuance of bonds totaling \$350,000 and the appropriation of the proceeds thereof to finance design and construction for the Project.

The project includes design and construction administration services for replacement of the Genesee Firehouse windows and boiler. The single pane windows are original to the building, which was constructed in 1913, and will be replaced with insulated, aluminum clad windows. The boiler, installed in 2002, is inefficient and at the end of its useful life. It will be replaced with a new, high-efficiency boiler.

Architectura, P.C., was selected for design through construction administration services through a Request for Proposal process, which is described in the attached summary. The agreement shall extend until a term of three (3) months after the completion of two-year guarantee inspection of the project.

Construction duration is anticipated to start the spring 2022 with completion fall 2022. The project will result in the creation and/or retention of the equivalent of 4.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-206

Ordinance No. 2020-362
(Int. No. 418)

Authorizing an agreement for the Genesee Firehouse Upgrades project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Architectura, P.C. for design and construction administration services for the Genesee Firehouse Upgrades project (the Project). The maximum compensation shall be \$110,000, which shall be funded from the proceeds of bonds authorized and appropriated in a concurrent ordinance. The term of the agreement shall continue to 3 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 to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2020-363
(Int. No. 419)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$350,000 Bonds of said City to finance the costs of the Genesee Firehouse Upgrades 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 design and construction for the Genesee Firehouse Upgrades project, which includes replacing the windows and heating boiler in the firehouse located at 885 Genesee 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 \$350,000. The plan of financing includes the issuance of \$350,000 bonds of the City to finance this appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$350,000 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 \$350,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.12 of the Law, is twenty-five (25) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily

Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-364
Re: Geometric Changes - Main Street Streetscape Phase II

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the Main Street Streetscape Phase II project. This legislation will authorize the attached geometric changes to East Main Street between State Street/Exchange Street in the west and St. Paul Street / South Avenue in the east.

The Main Street Streetscape Phase II project will result in streetscape enhancements along Main Street between State Street/Exchange Street in the west and St. Paul Boulevard/South Avenue in the west. The project will implement similar improvements installed as part of the Phase I project completed in 2019.

A public hearing on the pavement width changes is required. The proposed pavement width changes will provide a total of 17 curb-side parking spaces. The pavement width changes will also provide space for the new pedestrian streetscape while accommodating dedicated on-street bike and bus/bike lanes.

A public informational meeting was held on November 12, 2020. A copy of the minutes of this meeting are attached. The pavement width changes were endorsed at the November 18, 2020 Traffic Control Board meeting.

Design of the project is underway. Construction is anticipated to begin in spring 2021 with completion in spring 2022.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-207

Ordinance No. 2020-364
(Int. No. 420)

Authorizing geometric changes relating to the Main Street Streetscape Phase II project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the following changes in the pavement width of East Main Street from its intersection with State Street and Exchange Boulevard to its intersections with St. Paul Street and South Avenue to accommodate streetscape improvements, bus lanes and recessed parking for the Main Street Streetscape Phase II project:

- a) Increase in width of 2 feet, from 55 feet to 57 feet, beginning 33 feet east of Exchange Boulevard and continuing eastward to a point 54 feet east of Aqueduct Street;
- b) Decrease in width of 3 feet ,from 55 feet to 52 feet, beginning 54 feet east of Aqueduct Street and continuing eastward to a point opposite Graves Street;
- c) Decrease in width of 11 feet, from 55 feet to 44 feet, beginning opposite Graves Street and continuing eastward to a point 391 feet east of Graves Street;
- d) Increase in width of 7 feet, beginning 391 feet east of Graves Street and continuing eastward to a point 551 feet east of Graves Street; and
- e) Decrease in width of 1 foot, from 45 feet to 44 feet, beginning 67 feet west of St. Paul Street and continuing eastward to St. Paul Street.

The pavement width changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-365
Re: Vacuum Oil BOA River Trail

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Vacuum Oil BOA River Trail project. This legislation will authorize the Mayor to enter into agreements with the Dormitory Authority State of New York (DASNY) as necessary to participate in and administer the project.

After more than two decades of investigation, study and planning, and in collaboration with the state and neighborhood stakeholders, the City published the final Vacuum Oil Brownfield Opportunity Area (BOA) recommendations in 2019. A key component of the BOA is a Preferred Parks, Open Space, and Public Waterfront Concept Master Plan.

The Vacuum Oil BOA River Trail project will be one of the initial key public improvements projects to implement the BOA Master Plan recommendations. The project will include the design of a new neighborhood trail connector between the Genesee Riverway Trail at Violetta Street and Plymouth Avenue. The State and Municipal Facilities Capital Program (SAM) grant provided by DASNY will fund a portion of the project construction. Council has previously authorized a \$100,000 (Ordinance No. 2020-111) design agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., (Pietro V. Giovenco – C.E.O., 280 E. Broad Street, Suite 200, Rochester, New York).

Design of the project is ongoing and construction is anticipated to being in fall 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-208

Ordinance No. 2020-365
(Int. No. 421)

Authorizing agreement for Vacuum Oil Brownfield Opportunity Area River Trail project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into agreements with the Dormitory Authority of New York State to participate in and administer the Vacuum Oil Brownfield Opportunity Area River Trail project.

Section 2. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-366
Re: Priority Bicycle Boulevards Implementation Project

Council Priority: Creating and Sustaining a Culture of Vibrancy and Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with T.Y. Lin International Engineering & Architecture, P.C. (Robert J. Radley, CEO, 255 East Avenue, Rochester, New York), for additional final design and construction support services related to the Priority Bicycle Boulevards Implementation Project. The original agreement, authorized in November 2019 (Ordinance No. 2019-339), established maximum compensation at \$195,000. This amendment will increase the maximum compensation by \$85,000 to a maximum total of \$280,000. The cost of the amendment will be financed with \$82,075 from 2019-20 Cash Capital and \$2,925 from 2020-21 Cash Capital. The term of the agreement shall extend until three (3) months after completion of the two (2) year guarantee inspection of the project.

The purpose of the Priority Bicycle Boulevards Implementation Project is to design and install approximately twenty centerline miles of neighborhood Bicycle Boulevard routes throughout the City. This investment will enable the City to accelerate implementation of the Bicycle Boulevard Master Plan. Bicycle Boulevards are local, residential streets that are optimized for bicycle travel through the use of pavement markings, directional signage, and traffic calming features.

Bicycle Boulevards provide a low-stress alternative to busy arterial streets and a cost-effective technique for improving the overall bike-friendliness of our city. The additional final design services, for which the amendatory agreement is sought, will complete design for milling and resurfacing of certain streets that are part of the Priority Bicycle Boulevard network.

Design of the project began in January 2020. Construction is anticipated to begin in spring 2021 and be substantially complete by fall 2021. The amendatory agreement will result in the creation and/or retention of the equivalent of 0.9 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-209

Ordinance No. 2020-366
(Int. No. 422)

Authorizing an amendatory agreement for the Priority Bicycle Boulevards Implementation Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with T.Y. Lin International Engineering & Architecture, P.C. for additional final design and construction support services related to the Priority Bicycle Boulevards Implementation Project. The amendatory agreement shall amend the existing agreement that was authorized by Ordinance No. 2019-339 to increase the maximum compensation by \$85,000 to a new total of \$280,000. The amendatory compensation shall be funded by \$82,075 from 2019-20 Cash Capital and \$2,925 from 2020-21 Cash Capital.

Section 2. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Vice President Lightfoot
December 15, 2020

To the Council:

The **PUBLIC SAFETY, RECREATION & HUMAN SERVICES COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- | | |
|--------------|---|
| Int. No. 423 | Authorizing an intermunicipal agreement and funding for the DWI Crackdown Weekend Enforcement Grant |
| Int. No. 424 | Authorizing an amendatory agreement relating to police complaint management services |
| Int. No. 425 | Authorizing an agreement for ATM machines at the Public Market and International Plaza |
| Int. No. 426 | Authorizing agreements and funding for the Comprehensive Adolescent Pregnancy Prevention Program |

- Int. No. 427 Authorizing an agreement for the Crisis Intervention Services Unit
- Int. No. 430 Amending Ordinance No. 2020-333 in relation to replacement of a mounted police patrol horse

Respectfully submitted,
 Willie Lightfoot
 Mitch Gruber
 LaShay D. Harris
 Jose Peo
 Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-367
 Re: Agreement – Monroe County, DWI Crackdown Weekend Enforcement Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of up to \$4,200 for the 2020-21 STOP DWI Foundation, Inc. Crackdown Weekend Enforcement grant, and amending the 2020-21 Budget of the Police Department by \$2,400 to reflect a portion of this grant. The remaining funds will be included in the 2021-22 Budget of the Police Department.

The grant funds will be used to pay for overtime for police officers and, as necessary for police experts to detect drug abuse in drivers during Memorial Day, Fourth of July and possibly Labor Day holiday crackdowns. This grant does not allow fringe expenses, estimated at \$1,310.

The term of this grant is October 1, 2020 through September 30, 2021. This is the eighth time the City has received this grant.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2020-367
 (Int. No. 423)

Authorizing an intermunicipal agreement and funding for the DWI Crackdown Weekend Enforcement 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 intermunicipal agreement with the County of Monroe for the receipt and use of the 2020-21 STOP DWI Foundation, Inc. Crackdown Weekend Enforcement Grant in the amount of \$4,200. The term of the agreement shall be one year.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$2,400 received under the grant agreement authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Lightfoot, Meléndez, Patterson, Peo -8.

Nays – Councilmember Lupien – 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-368
Re: Agreement – Center for Dispute Settlement, Complaint Management Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Center for Dispute Settlement, Inc. (CDS) (Principal: Frank Alberti) to continue providing services relating to complaints involving members of the Rochester Police Department (RPD). This amendment will continue the agreement authorized in Ordinance No. 2015-410, which presently is set to expire on December 31, 2020. It extends the agreement for up to six months, with the option to extend for up to six additional months. The amendment is also subject to the terms of Section 18-3(A) of the Charter. The maximum compensation for the first six months will be \$75,000 which will be funded from the 2020-21 Budget of the Police Department. Maximum compensation of up to \$75,000 for the optional additional extension of the agreement will be funded from the 2021-22 Budget of the Police Department.

On September 28, 2015, RPD issued a request for proposals (RFP) for Police Complaint Services. The RFP was posted on the City's website and mailed to four local companies: CDS, Action for Better Community, Urban League of Rochester, and Baden Street Settlement. CDS was the sole respondent and has demonstrated its ability to satisfy the requirements set forth in the RFP.

The citizen complaint review process was established by City Council Resolution No. 92-40, and modified by Resolution No. 95-8. CDS will continue to select and train panelists, conduct hearings, provide conciliation services, maintain related records, and provide a Community Advocate. The agreement is being extended with some flexibility as to its termination date in order for the Police Accountability Board to absorb the complaint management responsibility when it is ready to do so.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-368
(Int. No. 424)

Authorizing an amendatory agreement relating to police complaint management 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 the Center for Dispute Settlement, Inc. for services relating to citizen complaints involving members of the Rochester Police Department. The agreement authorized in Ordinance No. 2015-410 is hereby amended to continue the term of the agreement up to six additional months to June 30, 2021, and to give the parties the option to extend the term up to six additional months to December 31, 2021. The maximum compensation for the first six months shall be \$75,000, which shall be funded from the 2020-21 Budget of the Police Department. The term and compensation shall be adjusted within these parameters in order to transfer Civilian Review Board functions to the Police Accountability Board consistent with City Charter §18-3A. The maximum compensation for the optional additional extension shall be \$75,000, which shall be funded from the 2021-22 Budget of the Police Department, contingent upon approval.

Section 2. The amendatory agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-369
Re: Agreement – Sundberg ATM, Automated Teller Machines for the Rochester Public Market and the 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 an agreement with Sundberg ATM LLC, 10 Mt. Read Blvd., Suite E, Rochester, New York, to provide and maintain Automated Teller Machines (ATMs) at the Rochester Public Market and the International Plaza. Under the agreement the City will be reimbursed \$1.50 per transaction. No City funds are required for this agreement. The term will be for one year, with the option to extend for four additional one-year terms.

Currently, there are four ATMs at the Public Market. The vendor may install up to three additional units based on demand as well as two at the newly opened International Plaza. The proposed customer fee is \$2.95 per transaction.

Sundberg ATM was selected through a request for proposals process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AT-210

Ordinance No. 2020-369
(Int. No. 425)

Authorizing an agreement for ATM machines at the Public Market and International Plaza

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 Sundberg ATM LLC to provide and maintain ATM machines at the Rochester Public Market and the International Plaza. The term of the agreement shall be one year with the option to extend for up to four additional one-year terms. The agreement shall obligate Sundberg ATM LLC to pay to the City of Rochester the sum of \$1.50 per transaction.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-370
Re: Agreements – New York State Department of Health, Comprehensive Adolescent Pregnancy Prevention Grant

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 Comprehensive Adolescent Pregnancy Prevention (CAPP) Grant program to address teen pregnancy. This legislation will:

1. Authorize an agreement with the New York State Department of Health (NYSDOH) for the receipt and use of \$598,407 for the January 1 through December 31, 2021 program period.
2. Establish \$219,823 as total maximum compensation for the following agreements, funded from the grant authorized herein, for a term of one year:

Baden Street Settlement of Rochester, Inc./	
Metro Council for Teen Potential	\$83,242
Anthony L. Jordan Health Corporation	\$20,000
Rochester Society for the Prevention of Cruelty to Children, Inc.	\$60,044
The YWCA of Western New York, Inc.	\$56,537
TOTAL	\$219,823

The \$145,853 of grant funds apportioned to personnel costs and benefits for four full-time employees for January 1, 2021 through June 30, 2021, was anticipated and included in the 2020-21 Budgets of the Department of Recreation and Human Services and Undistributed Expenses. The remaining \$148,772 apportioned to personnel costs and benefits for those grant-funded employees for July 1, 2021 through December 31, 2021, will be anticipated and included in the 2021-2022 Budgets of the Department of Recreation and Human Services and Undistributed Expenses, contingent upon approval. The remaining \$83,959 will be accounted for in the Teenage Pregnancy Prevention Special Revenue Fund to cover non-personnel expenses such as educational supplies, printing, and office supplies, as well as indirect expenses.

The NYSDOH CAPP Grant program is for a five-year term, from January 1, 2017 through December 31, 2021. This will be year five of the five year grant. The grant was last authorized by City Council Ordinance No. 2019-377. The goal of this program is to significantly reduce the rate of pregnancy among teenagers in targeted areas. The primary goals of the program are to:

- Provide evidence-based curricula in the Rochester City School District and Charter Schools
- Reduce adolescent pregnancy rates in the city of Rochester
- Improve high school graduation rates in the city of Rochester

The program will be locally promoted as RISE and will serve a total of 810 unduplicated youth and 200 parents each year. Rochester teen birth rates have steadily declined since 2008 (from 80 births per 1000 to 29 births per 1000 girls ages 14-19). Please see the attachment for additional information on Rochester youth health trends over time.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-211

Ordinance No. 2020-370
 (Int. No. 426)

Authorizing agreements and funding for the Comprehensive Adolescent Pregnancy Prevention Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Health (NYSDOH) for the receipt and use of \$598,407 in funding for the Comprehensive Adolescent Pregnancy Prevention Program (Program) for the January 1, 2021 to December 31, 2021 program period.

Section 2. The Mayor is hereby authorized to enter into professional service agreements to provide Program services with each of the following organizations up to the maximum amount specified therein for a term of one year:

Baden Street Settlement of Rochester, Inc.	\$ 83,242
Anthony L. Jordan Health Corporation	20,000
Rochester Society for the Prevention of Cruelty to Children, Inc.	60,044
The YWCA of Western New York, Inc.	56,537
TOTAL	\$219,823

provided that, in the event that all funds for any listed provider are not expended, the Mayor is authorized to enter into amendatory agreements with one or more of the other above providers to use the unexpended funds to provide additional Program services.

Section 3. The provider agreements shall obligate the City to pay an aggregate amount not to exceed \$219,823, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received from NYSDOH under the grant agreement authorized in Section 1 herein.

Section 4. Funds in the amount of \$83,959 from the grant agreement authorized in Section 1 are hereby appropriated to the Teenage Pregnancy Prevention Special Revenue Fund to pay for non-personnel and indirect expenses relating to the Program.

Section 5. The grant agreement and provider agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Re: Ordinance No. 2020-371
 Agreement – White Bird Clinic

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum annual compensation for an agreement with the White Bird Clinic (Tim Black, Director of Consulting, Eugene, Oregon) for professional development and technical assistance for the Crisis Intervention Services Unit. The term of the agreement will not exceed one year and will be funded from the 2020-21 Budget of Department of Recreation and Human Services (DRHS), with an option to renew for one additional, one-year term, contingent upon approval of the future budget.

The City's Crisis Intervention Services unit is a newly formed unit within DRHS to respond to crisis situations with trained and experienced behavioral and mental health professionals independent of law enforcement protocols. The White Bird Clinic will provide technical assistance and professional development to the Crisis Intervention Services Unit including the development of mobile response policies, procedures, and documentation as well as development of routing criteria for crisis calls for service.

The White Bird Clinic was selected based on their more than thirty years of experience in crisis intervention, including the implementation of the successful CAHOOTS (Crisis Assistance Helping Out On The Streets) mobile crisis team in Eugene, Oregon. CAHOOTS is community-based and provides first-responder crisis stabilization utilizing counseling and de-escalation techniques to address non-violent non-criminal crises. Though not driven by law enforcement, CAHOOTS works in collaboration with the Eugene Police Department. The Clinic has been nationally recognized model for the CAHOOTS model and has consulted with many cities including Vancouver (Washington), Denver, San Francisco, and Portland on implementation of mobile crisis services respective cities. A Justification for No RFP is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-212

Ordinance No. 2020-371
(Int. No. 427)

Authorizing an agreement for the Crisis Intervention Services Unit

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 White Bird Clinic to provide professional development and technical assistance to the Crisis Intervention Services Unit. The term of the agreement shall be up to one year with the option to renew for one additional year. The maximum annual compensation for the agreement shall be \$25,000, which shall be funded from the 2020-21 Budget of the Department of Recreation and Human Services (DRHS) for the first year and, for the second optional year, from the 2021-22 Budget of DRHS, contingent upon approval.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-372
Re: Amend Ordinance No. 2020-333

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance No. 2020-333 relating to appropriation of funds from the sale of a mounted police patrol horse. The ordinance erroneously amended the Operating Budget of the Police Department in the amount of \$5,100.

This amendment will correct the budget amendment of \$5,100 from the Operating Budget of the Police Department to the 2020-21 Cash Capital Budget of the Police Department.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2020-372
(Int. No. 430)

Amending Ordinance No. 2020-333 in relation to the replacement of a mounted police patrol horse

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2020-333, appropriating the proceeds from the sale of a mounted police patrol horse to obtain a replacement, is hereby amended in Section 1 to read as follows:

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations for ~~the Budget of the Police Department~~ Cash Capital by the sum of \$5,100, which amount is hereby appropriated from the sale of a retired mounted patrol horse, to fund the purchase of a new horse.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By President Scott
December 15, 2020

To the Council:

The **COMMITTEE OF THE WHOLE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 433 Approving an appointment to the Police Accountability Board

Respectfully submitted,
Malik Evans
Mitch Gruber
LaShay D. Harris
Mary Lupien
Miguel Meléndez Jr.
Michael A. Patterson
Jose Peo
Willie J. Lightfoot
Loretta C. Scott
COMMITTEE OF THE WHOLE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2020-42
Re: Appointment – Police Accountability Board

Council Priority – Public Safety

Transmitted herewith for your approval is a resolution to approve the appointment of Arlene Brown to the Police Accountability Board (PAB). Ms. Brown was selected from among 3 nominees provided to the City Council by the Police Accountability Board Alliance (PABA) as outlined in Local Law No. 2019-2.

The initial Police Accountability Board members must be appointed to serve staggered terms beginning July 1, 2020. This seat was vacated due to the resignation of the previous Board member and the term will expire on June 30, 2022. Ms. Brown will serve the remaining portion of this term, and will be eligible to serve one additional 3 year term. City residency was verified for Ms. Brown and a resume is on file with the City Clerk.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2020-42
(Int. No. 433)

Approving an appointment to the Police Accountability Board

BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby appoints Arlene Brown, who has been nominated for the position by the Police Accountability Board Alliance, to the Police Accountability Board for a term that expires on June 30, 2022.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 8:10 p.m.

HAZEL L. WASHINGTON
City Clerk

ABBREVIATIONS

Acq. - Acquire, Acquisition	L.L. - Local Law
Adj. - Adjourned	Lftd. - Lifted
Admin. - Administration, Administrative	Litig. - Litigation
Adpt. - Adopt, Adopted	Maint. - Maintenance
Amend. - Amendatory, Amending, Amendment	Max. - Maximum
Appl. - Application(s)	Mgr. - Manager
Approp. - Appropriate, Appropriating	Mkt. - Market
Approv. - Approving	Mun. - Municipal
Appt(s). - Appoint, Appointment(s)	Ofc. - Office
Assist. - Assistance	Off. - Official
Auth. - Authority, Authorize	Ord. - Ordinance
Bldg. - Building	Pav. - Pavement
CHDO - Community Housing Development Organization	Pk. - Park
Class. - Classification	Proj. - Project
Comm. - Commercial, Commission, Committee, Community	Pssd. - Passed
Comp. - Compensation	Pub. - Public
Constr. - Construction	Purch. - Purchase
Ctr. - Center	R.E. - Real Estate
Demon. - Demonstration	R.O.W. - Right-of-Way
Dev. - Development	Rec. - Recreation
Dist. - District	Rehab. - Rehabilitate, Rehabilitation
Est(s). - Estimate(s)	Rej. - Reject
Ext. - Extension	Renew. - Renewal
Facil. - Facilities	Resi. - Residential
FY - Fiscal Year	Reso. - Resolution
Gar. - Garage	Rev. - Revenue
Gov. - Government, Governmental	Roch. - Rochester
Hear. - Hearing	Svs. - Services
Incr. - Increase	Tbld. - Tabled
Indus. - Industrial	Tech. - Technology
Int. - Introductory	Tr. - Transmittal
L.I.O. - Local Improvement Ordinance	Var. - Various
	Wid. - Width
	Zon. - Zoning

**19TH WARD COMMUNITY ASSOCIATION
OR ROCHESTER, NEW YORK, INC.**

Auth. funding and agreements relating to 2020-21 Street Liaison Program, Tr. letter, 253, Pssd., 254

67-89 CANAL LLC

Auth. amend. lease agreement for 25-37 Canal Street, Tr. letter, 502, Pssd., 502

**270 EAST AVENUE AFFORDABLE
HOUSING PROJECT - INNER LOOP EAST
SITE 2**

Amend. Ord. Nos. 2017-165 and 2019-86 and auth. payment in lieu of taxes agreement relating to 270 East Avenue Affordable Housing Project - Inner Loop East Site 2, Tr. letter, 391, Pssd., 393

270 ON EAST, LLC

Amend. Ord. Nos. 2017-165 and 2019-86 and auth. payment in lieu of taxes agreement relating to 270 East Avenue Affordable Housing Project - Inner Loop East Site 2, Tr. letter, 391, Pssd., 393

**270 ON EAST HOUSING DEVELOPMENT
FUND CORPORATION**

Amend. Ord. Nos. 2017-165 and 2019-86 and auth. payment in lieu of taxes agreement relating to 270 East Avenue Affordable Housing Project - Inner Loop East Site 2, Tr. letter, 391, Pssd., 393

585 COIN LAUNDRY II, INC.

Auth. lease agreement for 68-92 Genesee Street, Tr. letter, 136, Pssd., 137

**965 MAPLE STREET ROOF
REPLACEMENT**

Auth. agreement for 965 Maple Street Roof Replacement Proj., Tr. letter, 446, Pssd., 448

Bond Ord. of City of Roch., New York auth. issuance of \$649,000 Bonds of said City to finance 965 Maple Street Roof Replacement Proj., Tr. letter, 446, Pssd., 448

**2020 STATE HOMELAND SECURITY
PROGRAM**

Auth. grant agreement for 2020 State Homeland Security Program, Tr. letter, 453, Pssd., 453

-A-

AAB STREET

Auth. acq. by negotiation or condemnation of properties for the Flower City School No. 54 Campus Modernization Project, Tr. letter, 92, Held, 94, Pssd., 149

Determinations and findings relating to acq. of properties for Flower City School No. 54 Campus Modernization Project, Tr. letter, 92, Pub. hear., 76, Held, 93, Pssd., 148

Auth. building demolition and abatement of properties acquired for Flower City School No. 54 and George Mather Forbes School No. 4 campus modernization projects, Tr. letter, 354, Pssd., 356

**ACTION FOR A BETTER COMMUNITY,
INCORPORATED**

Amend. Ord. Nos. 2019-171 and 2018-390 to increase funding for Housing Rehabilitation Program, Tr. letter, 250, Pssd., 251

Auth. funding and agreements relating to 2020-21 Street Liaison Program, Tr. letter, 253, Pssd., 254

Auth. license agreement to operate early childhood development ctr. in David F. Gantt R-Center, Tr. letter, 486, Pssd., 487

AFFORDABLE HOUSING FUND

Auth. sale of City-owned parcels, payment in lieu of taxes and loan agreements for Pueblo Nuevo Phase I proj., Tr. letter, 142, Pssd., 145

Auth. loan agreement for North Clinton, East Main, Culver Road Rental Housing Proj., Tr. letter, 302, Pssd., 304

Auth. sale of City-owned parcels and loan and payment in lieu of taxes and loan agreements for the Zion Hill Senior Apartments proj., Tr. letter, 416, Pssd., 418

**AGING IN PLACE HOME FOOD
DISTRIBUTION PROGRAM**

Approp. Community Development Block Grant-Coronavirus funds and auth. agreement for Aging in Place Home Food Distribution Program, Tr. letter, 204, Pssd., 204

Approp. Community Development Block Grant-Coronavirus funds to Business Emergency Response Grant and Business Food Establishment Grant programs, Tr. letter, 507, Pssd., 508

AGING IN PLACE PROGRAM

Approp. funds and auth. agreement for Aging in Place program, Tr. letter, 260, Pssd., 261

ALEXANDER STREET

L.I.O. - establishing cost of special services for East Avenue/Alexander Street Entertainment Dist., Tr. letter, 139, Pub. hear., 126, Pssd., 139

L.I.O. - Auth. special work and svcs. related to South Avenue/Alexander Street Open Space Dist., Tr. letter, 147, Pub. hear., 126, Pssd., 148

Auth. funding for 2018 Preventive Maint. Group No. 2 Proj., Tr. letter, 151, Pssd., 151

ALL PRO CATALYST, LLC

Auth. agreement for Champion Academy Mentoring and Empowerment Initiative, Tr. letter, 336, Pssd., 336

ALLEN STREET FIRE HOUSE

Granting permanent easements to County of Monroe for installation of fiber optic cable, Tr. letter, 347, Pssd., 348

ALLIANCE COLLISION INC.

Auth. amend. agreements for vehicle towing svcs., Tr. letter, 330, Pssd., 331

AMERICAN MEDICAL RESPONSE

Auth. agreement for emergency ambulance svcs., Tr. letter, 30, Pssd., 31

AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Auth. agreements and funding for animal population control program, Tr. letter, 178, Pssd., 178

AMERICAN TAX FUNDING, LLC

Auth. bulk sale of delinquent tax liens, Tr. letter, 80, Pssd., 82

ANIMAL CONTROL GIFTS FUND

Approp. funds and auth. agreement for veterinary svcs., Tr. letter, 284, Pssd., 285

ANIMAL HOSPITAL OF PITTSFORD, P.C.

Auth. agreements and funding for animal population control program, Tr. letter, 178, Pssd., 178

Approp. funds and auth. agreement for veterinary svcs., Tr. letter, 284, Pssd., 285

ANIMAL POPULATION CONTROL PROGRAM

Auth. agreements and funding for animal population control program, Tr. letter, 178, Pssd., 178

ANIMAL SERVICES

Auth. acceptance of The Petco Foundation grant for Animal Svcs., Tr. letter, 176, Pssd., 177

Auth. agreements and funding for animal population control program, Tr. letter, 178, Pssd., 178

Approp. funds and auth. agreement for veterinary svcs., Tr. letter, 284, Pssd., 285

Auth. intermunicipal agreement for veterinary technology student externships, Tr. letter, 331, Pssd., 331

Auth. agreement and budgeting for Animal Services Pet Foster Care Stimulus Grant, Tr. letter, 332, Pssd., 333

Auth. Animal Services licensing and operating agreement with Friends of the Verona Street Animal Shelter Inc., Tr. letter, 484, Pssd., 485

ANTHONY L. JORDAN HEALTH CORPORATION

Auth. agreements and funding for Comprehensive Adolescent Pregnancy Prevention Program, Tr. letter, 529, Pssd., 530

ANTI-GUN VIOLENCE MEDIA CAMPAIGN

Approp. federal forfeiture funds to support anti-gun violence campaign, Tr. letter, 284, Pssd., 284

APONTE, THOMMY RODRIGUEZ

Auth. sale of real estate, Tr. letter, 13, Pssd., 14

APPLICATION INTAKE SERVICES

Amend. Ord. Nos. 2019-171 and 2018-390 to increase funding for Housing Rehabilitation Program, Tr. letter, 250, Pssd., 251

APPRAISAL SERVICES

Auth. agreements for appraisal svcs., Tr. letter, 244, Pssd., 244

AQUEDUCT STREET

Bond Ord. of City of Roch. New York auth. issuance of \$600,000 Bonds of said City to finance a portion of the City's 2020 Cured in Place Pipe Project of the Distribution System Water Main Renewal Program, Tr. letter, 56, Pssd., 58

ARCHER STREET

Bond Ord. of City of Roch., New York auth. issuance of \$1,900,000 Bonds of said City to finance portion of City's 2020 Water Main Cleaning and Cement Lining Project of Distribution System Water Main Renewal Program, Tr. letter, 54, Pssd., 56

ARCHITECTURA, P.C.

Auth. Architectural Professional Svcs. Term Agreements, Tr. letter, 445, Pssd., 446

Auth. agreement for Genesee Firehouse Upgrades proj., Tr. letter, 522, Pssd., 523

ARCHITECTURAL SERVICES

Auth. amend. agreement for designing Police Department section offices, Tr. letter, 63, Pssd., 64

Auth. agreement for Rundel Memorial Library Exterior Building Envelope Repairs proj., Tr. letter, 119, Pssd., 120

Auth. agreement for Lincoln Branch Library Reconfiguration Schematic Design, Tr. letter, 277, Pssd., 278

Auth. agreement for 965 Maple Street renovation and Forestry Division relocation, Tr. letter, 310, Pssd., 310

Auth. agreement for Parking Garage Evaluation & Repair Program svcs., Tr. letter, 312, Pssd., 312

Auth. Architectural Professional Svcs. Term Agreements, Tr. letter, 445, Pssd., 446

ARGO STREET

Bond Ord. of City of Roch., New York auth. issuance of \$1,900,000 Bonds of said City to finance portion of City's 2020 Water Main Cleaning and Cement Lining Project of Distribution System Water Main Renewal Program, Tr. letter, 54, Pssd., 56

ARNETT BRANCH LIBRARY

Auth. receipt and use of grant to fund building improvements and repairs to Roch. Public Library's Bausch & Lomb and Arnett Branch buildings, Tr. letter, 491, Pssd., 492

ARNOLD PARK

L.I.O. - care and embellishment of street malls for 2020-21, Tr. letter, 171, Pub. hear., 126, Pssd., 173

ASSESSMENTS

Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for 2020 Assessment Roll, Tr. letter, 183, Pssd., 185

Determining and certifying base proportions, current percentages, and base percentages for 2020 Assessment Roll, Tr. letter, 183, Pssd., 184

Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2020 and expiring June 30, 2021, Tr. letter, 235, Pssd., 241

ASSET CONTROL AREA PROGRAM

Auth. agreements for Asset Control Area program, Tr. letter, 48, Pssd., 49

ASSISTANCE FOR FOOD

ESTABLISHMENTS GRANT PROGRAM

Approp. Community Development Block Grant-Coronavirus funds to Business Emergency Response Grant and Business Food Establishment Grant programs, Tr. letter, 507, Pssd., 508

ASURE SOFTWARE

Auth. professional svcs. agreement for payroll processing svcs., Tr. letter, 345, Pssd., 345

ATKINSON STREET

Auth. sale of real estate, Tr. letter, 500, Pssd., 501

ATM MACHINES

Auth. agreement for ATM machines at Public Market and International Plaza, Tr. letter, 528, Pssd., 529

AUGUSTINE STREET

Bond Ord. of City of Roch., New York auth. issuance of \$1,900,000 Bonds of said City to finance portion of City's 2020 Water Main Cleaning and Cement Lining Project of Distribution System Water Main Renewal Program, Tr. letter, 54, Pssd., 56

AVANGRID FOUNDATION, INC.

Auth. grant agreement for 2020 Cool Sweep program, Tr. letter, 340, Pssd., 341

AVENUE D

Auth. sale of real estate, Tr. letter, 468, Pssd., 469

AVIS STREET

Bond Ord. of City of Roch., New York auth. issuance of \$1,900,000 Bonds of said City to finance portion of City's 2020 Water Main Cleaning and Cement Lining Project of Distribution System Water Main Renewal Program, Tr. letter, 54, Pssd., 56

-B-

BADEN STREET SETTLEMENT OF ROCHESTER, INC.

Approp. funds and auth. agreements for Sexual Risk Avoidance Education Grant program, Tr. letter, 220, Pssd., 221

Auth. agreements and funding for Comprehensive Adolescent Pregnancy Prevention Program, Tr. letter, 529, Pssd., 530

BAIN, MATT

Reso. approv. appts. to Zoning Board of Appeals, Tr. letter, 440, Adpt., 441

BAKER, EVE C.

Auth. acq. by negotiation or condemnation of properties for the Flower City School No. 54 Campus Modernization Project, Tr. letter, 92, Held, 94

Determinations and findings relating to acq. of properties for Flower City School No. 54 Campus Modernization Project, Tr. letter, 92, Pub. hear., 76, Held, 93

BALLOU, MARK

Reso. approv. appts. to Board of Assessment Review, Tr. letter, 10, Adpt., 11

BANKING DEVELOPMENT DISTRICT PROGRAM

Reso. endorsing Five Star Bank's application to establish Banking Development Dist., Tr. letter, 188, Adpt., 189

BARDIN STREET

Bond Ord. of City of Roch., New York auth. issuance of \$1,900,000 Bonds of said City to finance portion of City's 2020 Water Main Cleaning and Cement Lining Project of Distribution System Water Main Renewal Program, Tr. letter, 54, Pssd., 56

BARRINGTON STREET

Approv. geometric changes on Barrington Street related to Roch. City School District Francis Parker School No. 23, Tr. letter, 278, Pub. hear., 224, Pssd., 278

BARTLETT STREET

Auth. sale of real estate, Tr. letter, 13, Pssd., 14

Amend. Ord. Nos. 2020-293 and 2020-325 in relation to L2P Westside Housing Proj., Tr. letter, 509, Pssd., 510

BAUSCH AND LOMB LIBRARY BUILDING

Auth. receipt and use of grant to fund building improvements and repairs to Roch. Public Library's Bausch & Lomb and Arnett Branch buildings, Tr. letter, 491, Pssd., 492

Bond Ord. of City of Roch., New York auth. issuance of \$500,000 Bonds of said City to finance costs of improvements to heating, ventilation and air conditioning system of Central Library Bausch & Lomb Bldg., Tr. letter, 491, Pssd., 493

BAYNES, KATHERINE C.

Reso. approv. reappointments to Roch. Public Library Board of Trustees, Tr. letter, 8, Adpt., 9

BEACH AVENUE

Auth. funding and agreement for 2019 Preventive Maint. Northwest Group 5 project, Tr. letter, 18, Pssd., 19

Bond Ord. auth. issuance of \$580,000 Bonds to finance costs of 2019 Northwest Highway Preventive Maint. Group 5 project, Tr. letter, 18, Pssd., 20

BEARDSLEE, DEBORAH

Reso. approv. appts. to Roch. Preservation Board, Tr. letter, 442, Adpt., 443

BERGMANN ASSOCIATES, ARCHITECTS, ENGINEERS, LANDSCAPE ARCHITECTS & SURVEYORS, D.P.C.

Auth. appropriations and amend. Section 3 of Ord. 2018-335 for 2018 Preventive Maint.

Northeast Group 1, Tr. letter, 16, Pssd., 17

Auth. funding and agreement for 2019 Preventive Maint. Northwest Group 5 project, Tr. letter, 18, Pssd., 19

Auth. funding and agreement for Roch. Running Track Bridge Improvements Phase 1 proj., Tr. letter, 25, Pssd., 26

Auth. funding, agreement, and amend. agreement for Mt. Hope Avenue Phase 2 Improvement Proj., Tr. letter, 114, Pssd., 116

Auth. agreements for community engagement and associated technical svcs. for City projects, Tr. letter, 130, Pssd., 131

Auth. agreement for 2020 Lake Avenue Milling and Resurfacing Program, Tr. letter, 157, Pssd., 158

Auth. agreement for Vacuum Oil Brownfield Opportunity Area River Trail, Tr. letter, 166, Pssd., 167

Auth. agreements for West River Wall Segment 1 Project, Tr. letter, 281, Pssd., 282

Auth. funding and agreement for Blue Cross Arena Riverside Addition, Tr. letter, 309, Pssd., 309

Auth. term agreements for civil engineering and transportation planning and design svcs., Tr. letter, 313, Pssd., 314

Auth. Architectural Professional Svcs. Term Agreements, Tr. letter, 445, Pssd., 446

Auth. funding and agreement for East Main Street Improvement Proj., Tr. letter, 516, Pssd., 518

BERGMANN ASSOCIATES, ENGINEERING AND ARCHITECTURE, PLLC

Auth. appropriations and agreement for Magee Avenue/Raines Park Improvement Proj., Tr. letter, 109, Pssd., 113

BERO ARCHITECTURE, PLLC

Auth. agreement for Rundel Memorial Library Exterior Building Envelope Repairs proj., Tr. letter, 119, Pssd., 120

BEST, JAMES

Reso. approv. appts. to Zoning Board of Appeals, Tr. letter, 440, Adpt., 441

BEST FRIENDS ANIMAL SOCIETY

Auth. amend. agreement for Rachael Ray Save Them All grant from Best Friends Animal Society, Tr. letter, 379, Pssd., 379

BIANCHI, FRANK A.

Auth. acq. or condemnation of 78 Potomac Street, Tr. letter, 89, Pssd., 91

Determinations and findings relating to acq. of 78 Potomac Street, Tr. letter, 89, Pub. hear., 76, Pssd., 90

BICYCLES

Auth. agreement for 2020 Rochester Twilight Criterium, Tr. letter, 83, Pssd., 84

Auth. agreement for Shared Mobility System, Tr. letter, 372, Pssd., 373

Auth. amend. agreement for Priority Bicycle Boulevards Implementation Proj., Tr. letter, 525, Pssd., 526

BIDWELL STREET

Bond Ord. of City of Roch., New York auth. issuance of \$1,900,000 Bonds of said City to finance portion of City's 2020 Water Main Cleaning and Cement Lining Project of Distribution System Water Main Renewal Program, Tr. letter, 54, Pssd., 56

BILL GRAY'S INC.

Auth. amend. lease agreement with Bill Gray's Inc., Tr. letter, 266, Pssd., 267

BIRR STREET

Bond Ord. of City of Roch., New York auth. issuance of \$1,900,000 Bonds of said City to finance portion of City's 2020 Water Main Cleaning and Cement Lining Project of Distribution System Water Main Renewal Program, Tr. letter, 54, Pssd., 56

BIZ KIDS YOUTH ENTREPRENEURSHIP PROGRAM

Auth. agreement relating to Biz Kid\$ youth entrepreneurship program, Tr. letter, 285, Pssd., 285

BLUE CROSS ARENA AT THE WAR MEMORIAL

Auth. funding agreement for the Blue Cross Arena Upgrades Project, Tr. letter, 58, Pssd., 59

Bond Ord. of City of Roch., New York auth. issuance of \$1,000,000 Bonds of said City to finance costs of Blue Cross Arena Upgrades Project, Tr. letter, 58, Pssd., 60

Auth. funding and agreement for Blue Cross Arena Riverside Addition, Tr. letter, 309, Pssd., 309

BOARD OF ASSESSMENT REVIEW

Reso. approv. appts. to Board of Assessment Review, Tr. letter, 10, Adpt., 11

BONDS AND NOTES

Bond Ord. auth. issuance of \$16,380,000 Bonds to finance costs of improvements to specified City School District schools, Tr. letter, 11, Pssd., 12

Bond Ord. auth. issuance of \$580,000 Bonds to finance costs of 2019 Northwest Highway Preventive Maint. Group 5 project, Tr. letter, 18, Pssd., 20

Amend. Bond Ordinances of City of Roch., New York, Tr. letter, 37, Pssd., 38

Amend. Bond Ord. No. 2018-381 to finance costs of improvements to specified City School District schools, Tr. letter, 43, Pssd., 47

Amend. Bond Ord. No. 2020-3 to finance costs of improvements to specified City School District schools, Tr. letter, 43, Pssd., 45

Bond Ord. of City of Roch., New York auth. issuance of \$17,152,000 Bonds of said City to finance the costs of improvements to specified City School District schools, Tr. letter, 43, Pssd., 45

Bond Ord. of City of Roch., New York auth. issuance of \$19,601,000 Bonds of said City to finance costs of improvements to specified City School District schools, Tr. letter, 43, Pssd., 47

Bond Ord. of City of Roch., New York auth. issuance of \$1,900,000 Bonds of said City to finance portion of City's 2020 Water Main Cleaning and Cement Lining Project of Distribution System Water Main Renewal Program, Tr. letter, 54, Pssd., 56

Bond Ord. of City of Roch. New York auth. issuance of \$600,000 Bonds of said City to finance a portion of the City's 2020 Cured in Place Pipe Project of the Distribution System Water Main Renewal Program, Tr. letter, 56, Pssd., 58

Bond Ord. of City of Roch., New York auth. issuance of \$1,000,000 Bonds of said City to finance costs of Blue Cross Arena Upgrades Project, Tr. letter, 58, Pssd., 60

Bond Ord. of City of Roch., New York authorizing of \$770,000 Bonds of said City to finance costs of the Rundel Library Structural Terrace Improvements Phase IV Proj., Tr. letter, 67, Pssd., 68

Approv. certain matters and auth. execution and delivery of specified documents in conjunction with 2020 Phase of Roch. Joint Schools Constr. Board Facil. Modernization Program, Tr. letter, 76, Pssd., 78

Bond Ord. of City of Roch., New York auth. issuance of \$500,000 Bonds of said City to finance portion of costs of City's 2020 Lead Service Line Replacement Program, Tr. letter, 95, Pssd., 97

Bond Ord. of City of Roch., New York auth. issuance of \$1,250,000 Bonds of said City to finance Phase 1 of Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Proj., Tr. letter, 98, Pssd., 101

Bond Ord. of City of Roch., New York auth. issuance of \$738,000 Bonds of said City to finance costs of 2020 Preventive Maintenance Group 11 project, Tr. letter, 106, Pssd., 108

Bond Ord. of City of Roch., New York auth. issuance of \$693,000 Bonds of said City to finance replacement of water mains and svcs. along certain portions of Magee Avenue/Raines Park Improvement Proj., Tr. letter, 109, Pssd., 112

Bond Ord. of City of Roch., New York auth. issuance of \$783,000 Bonds of said City to

finance Magee Avenue/Raines Park Improvement Proj., Tr. letter, 109, Pssd., 111

Bond Ord. City of Roch., New York auth. issuance of \$770,000 Bonds of said City to finance portion of costs of water service improvements for Mt. Hope Avenue Phase 2 Improvement Proj., Tr. letter, 114, Pssd., 118

Bond Ord. City of Roch., New York auth. issuance of \$860,000 Bonds of said City to finance portion of costs of Mt. Hope Avenue Phase 2 Improvement Proj., Tr. letter, 114, Pssd., 117

Bond Ord. of City of Roch., New York auth. issuance of \$744,000 Bonds of said City to finance costs of Rundel Memorial Library Exterior Building Envelope Repairs, Tr. letter, 119, Pssd., 121

Bond Ord. of City of Roch., New York, auth. issuance of not to exceed \$40,550,000 General Obligation Refunding Serial Bonds, 2020 of said City to currently refund outstanding portions of City's \$58,225,000 General Obligation Serial Bonds-2008, Series B Bonds, \$92,996,949 General Obligation Bonds under American Recovery and Reinvestment Act of 2009; and \$66,943,000 General Obligation Serial Bonds – 2012, Series I, Tr. letter, 132, Pssd., 133

Bond Ord. of City of Roch., New York auth. issuance of \$1,355,000 Bonds of said City to finance 2020 Preventive Maint. Group 9 Proj., Tr. letter, 152, Pssd., 155

Bond Ord. of City of Roch., New York auth. issuance of \$342,000 Bonds of said City to finance replacement of water lines and services associated with 2020 Lake Avenue Milling and Resurfacing Program, Tr. letter, 157, Pssd., 160

Bond Ord. of City of Roch., New York auth. issuance of \$1,456,000 Bonds of said City to finance 2020 Lake Avenue Milling and Resurfacing Program, Tr. letter, 157, Pssd., 159

Bond Ord. of City of Roch., New York auth. issuance of \$1,220,000 Bonds of said City to finance certain costs of Northwest Quadrant Contract 2020 - Phase 1 Hazardous Sidewalk Replacement Program, Tr. letter, 160, Pssd., 162

Bond Ord. of City of Roch., New York auth. issuance of \$412,000 Bonds of said City to finance ROC City Skate Park, Tr. letter, 210, Pssd., 213

Auth. agreement for Sager Drive Improvement Proj., Tr. letter, 213, Pssd., 216

Bond Ord. of City of Roch., New York auth. issuance of \$287,000 Bonds of said City to finance water line and water service improvements associated with Sager Drive Improvement Proj., Tr. letter, 213, Pssd., (216 ? no vote listed)

Bond Ord. of City of Roch., New York auth. issuance of \$1,342,000 Bonds of said City to

finance Sager Drive Improvement Proj., Tr. letter, 213, Pssd., 215

Bond Ord. of City of Roch., New York auth. issuance of \$240,000 Bonds of said City to finance costs of environmental remediation improvements at Rochester Fire Academy site in City, Tr. letter, 274, Pssd., 275

Bond Ord. of City of Roch., New York auth. issuance of \$342,000 Bonds of said City to finance costs of University Firehouse Truck Bay Alteration, Tr. letter, 280, Pssd., 281

Bond Ord. of City of Roch., New York auth. issuance of \$755,000 Bonds of said City to finance City's West River Wall Segment 1 Proj., Tr. letter, 318, Pssd., 321

Bond Ord. of City of Roch., New York auth. issuance of \$1,136,000 Bonds of said City to finance replacement of one Engine Pumper at Lyell Avenue Firehouse and one Engine Pumper at North Clinton Avenue Firehouse, Tr. letter, 333, Pssd., 334

Bond Ord. of City of Roch., New York auth. issuance of \$2,500,000 Bonds of said City to finance replacement of mobile and portable radio equipment and installation of new station alerting system for Rochester Fire Department, Tr. letter, 339, Pssd., 340

Bond Ord. of City of Roch., New York auth. issuance of \$806,000 Bonds of said City to finance Cottage-Magnolia Street Rehabilitation Proj., Tr. letter, 359, Pssd., 362

Bond Ord. to City of Roch., New York auth. issuance of \$571,000 Bonds of said City to finance water service improvements associated with Cottage-Magnolia Street Rehabilitation Proj., Tr. letter, 359, Pssd., 363

Bond Ord. further amend. Bond Ord. in Ord. No. 2018-334, as amended by Ord. No. 2020-184, to auth. issuance of \$1,340,000 Bonds of City of Roch. to finance constr. and constr. inspection svcs. related to East Henrietta Road Improvement Project (South City Line to Stan Yale Drive), Tr. letter, 363, Pssd., 366

Bond Ord. of City of Roch., New York auth. issuance of \$3,000,000 Bonds of said City to finance portion of costs of the Joseph A. Floreano Rochester Riverside Convention Ctr. Escalator Replacements Proj., Tr. letter, 370, Pssd., 372

Bond Ord. of City of Roch., New York auth. issuance of \$12,573,000 Bonds of said City to finance portion of costs of Roch. Police Department Goodman Section and Southeast Neighborhood Service Center proj., Tr. letter, 375, Pssd., 377

Repealing Ord. Nos. 2020-270 and 2020-271 relating to Roch. Police Department Goodman Section and Southeast Neighborhood Service Center proj., Tr. letter, 390, Pssd., 391

Bond Ord. of City of Roch., New York auth. issuance of \$649,000 Bonds of said City to

finance 965 Maple Street Roof Replacement Proj., Tr. letter, 446, Pssd., 448

Bond Ord. of City of Roch., New York auth. issuance of \$925,000 Bonds of said City to finance Maguire Building Renovation Proj., Tr. letter, 480, Pssd., 482

Bond Ord. of City of Roch., New York auth. issuance of \$500,000 Bonds of said City to finance costs of improvements to heating, ventilation and air conditioning system of Central Library Bausch & Lomb Bldg., Tr. letter, 491, Pssd., 493

Bond Ord. of City of Roch., New York auth. issuance of \$19,260,000 Bonds of said City to finance costs of improvements to specified City School District schools, Tr. letter, 496, Pssd., 498

Bond Ord. of City of Roch., New York auth. issuance of \$1,700,000 Bonds of said City to finance water line and water service improvements associated with East Main Street Improvement Proj., Tr. letter, 516, Pssd., 520

Bond Ord. of City of Roch., New York auth. issuance of \$3,462,000 Bonds of said City to finance costs of East Main Street Improvement Proj., Tr. letter, 516, Pssd., 519

Bond Ord. of City of Roch., New York auth. issuance of \$350,000 Bonds of said City to finance costs of Genesee Firehouse Upgrades proj., Tr. letter, 522, Pssd., 524

BOOKING AND PRODUCTION SERVICES

Auth. amend. booking and production svcs. agreement for 2020 Roc Summer Soul Music Festival, Tr. letter, 41, Pssd., 42

BOXING DEMONSTRATION PROJECT

Auth. agreement for boxing demonstration program, Tr. letter, 73, Pssd., 74

BRACKER, ISAAC

Reso. approv. appts. to Roch. Preservation Board, Tr. letter, 442, Adpt., 443

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Reso. auth. implementation and funding in first instance of State-aid Program eligible costs of capital project and approp. funds therefor: Brewery Line Trail, Tr. letter, 97, Adpt., 98

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Auth. engineering design svcs. agreement for preventative maintenance repairs to East Main Street Bridge over CSX Transportation right-of-way, Tr. letter, 61, Pssd., 61

Auth. agreements and approp. funds for Pont de Rennes Bridge and Brown's Race Rehabilitation Proj., Tr. letter, 449, Pssd., 451

Reso. auth. implementation and funding in first instance of State-aid Program eligible costs of capital proj. and approp. funds therefor, Tr. letter, 449, Adpt., 451

BRIDGING THE DIGITAL DIVIDE INITIATIVE

Approp. Community Development Block Grant-Coronavirus funds and auth. agreement relating to Bridging the Digital Divide for City school students, Tr. letter, 208, Pssd., 208

BRIGHTON, TOWN OF

Auth. intermunicipal agreement with Town of Brighton for chip seal and/or mill and paving of City streets adjacent to Town's street rehab. projects, Tr. letter, 24, Pssd., 25

BROWN, ARLENE

Reso. approv. appt. to Police Accountability Board, Tr. letter, 532, Pssd., 533

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Reso. auth. implementation and funding in first instance of State-aid Program eligible costs of capital proj. and approp. funds therefor, Tr. letter, 449, Adpt., 451

BRÜCKNER, TILLET & ROSSI, INC.

Auth. agreements for appraisal svcs., Tr. letter, 244, Pssd., 244

Auth. amend. lease agreement with Bill Gray's Inc., Tr. letter, 266, Pssd., 267

BRYANT, TYRESE

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Auth. agreement for Fire Station Alerting System, Tr. letter, 383, Pssd., 384

BUCKINGHAM PROPERTIES LLC A/K/A 85 ALLEN, LLC

Auth. lease agreement for Ofc. of Public Integrity, Tr. letter, 299, Pssd., 300

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Amend. 2020-21 Police Department Budget and approp. federal forfeiture funds to acq. seized vehicles, Tr. letter, 327, Pssd., 328

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Auth. receipt and use of United States Department of Homeland Security funds to investigate organized narcotics trafficking and violence, Tr. letter, 331, Pssd., 332

Auth. agreement and budgeting for Animal Services Pet Foster Care Stimulus Grant, Tr. letter, 332, Pssd., 333

Auth. agreement and funding for Roch. Police Department Goodman Section and Southeast Neighborhood Service Center proj., Tr. letter, 375, Pssd., 378

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Auth. amend. agreement for Rachael Ray Save Them All grant from Best Friends Animal Society, Tr. letter, 379, Pssd., 379

Auth. amend. agreement for Complex Coordinated Terrorist Attack Grant, Tr. letter, 381, Pssd., 381

Auth. intermunicipal agreement for Pathways to Peace program, Tr. letter, 382, Pssd., 382

Auth. Intermunicipal Cooperation Agreement with County of Monroe relating to Commission on Racial and Structural Equity, Tr. letter, 386, Pssd., 388

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Auth. amend. agreement with CypherWorx, Inc. for online employee training, Tr. letter, 401, Pssd., 402

Approp. funds for compliance checks of registered sex offenders, Tr. letter, 422, Pssd., 423

Auth. receipt and use of grants from New York State Governor's Traffic Safety Committee for two safety programs, Tr. letter, 423, Pssd., 424

Auth. agreement and funding to review critical policies, procedures and training requirements of Roch. Police Department, Tr. letter, 433, Referred to Committee, 434

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Auth. agreements relating to small business and entrepreneur support, Tr. letter, 463, Pssd., 464

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BULL'S HEAD REVITALIZATION PROJECTS

Auth. amend. agreement for planning svcs. for Bull's Head Revitalization Proj., Tr. letter, 138, Pssd., 138

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

Auth. intermunicipal agreement with Monroe County Crime Lab, Tr. letter, 218, Pssd., 219

BUREAU OF ARCHITECTURE AND ENGINEERING

Auth. pavement width and traffic flow changes for Sager Drive between Culver Road and East Boulevard, Tr. letter, 23, Pub. hear., 8, Pssd., 24

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BUSINESS DEVELOPMENT SERVICES

Auth. funding and agreements relating to 2020-21 Street Liaison Program, Tr. letter, 253, Pssd., 254

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C & S ARCHITECTS, ENGINEERS & LANDSCAPE ARCHITECT, PLLC

Auth. agreement for Pedestrian Safety Action Plan Phase III project, Tr. letter, 25, Pssd., 25

C & S ENGINEERS, INC.

Auth. term agreements for mechanical, electrical and plumbing engineering svcs., Tr. letter, 369, Pssd., 370

C-1 COMMUNITY CENTER DISTRICT

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C-2 COMMUNITY CENTER DISTRICT

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CAIN, EDWARD

Reso. approv. appts. to Roch. Preservation Board, Tr. letter, 442, Adpt., 443

CAMIROS, LTD.

Auth. funding and agreement for Zoning Code and Map Update, Tr. letter, 409, Pssd., 410

CANAL STREET

Auth. amend. lease agreement for 25-37 Canal Street, Tr. letter, 502, Pssd., 502

CARBON MONOXIDE DETECTORS

Approp. funds for Smoke and Carbon Monoxide Detectors Installation Program, Tr. letter, 335, Pssd., 336

CARE & EMBELLISHMENT FUND

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CARRETTA, CHRISTOPHER

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CARROLL, KAERI

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CARTER STREET AND NORTH STREET MILLING & RESURFACING PROGRAM

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CATHOLIC CHARITIES

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Approp. CARES Act coronavirus relief funds and auth. agreements for svcs. for homeless and those at risk of homelessness, Tr. letter, 205, Pssd., 207

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Approp. funds and auth. agreements for Emergency Solutions Grant program, Tr. letter, 262, Pssd., 263

Approp. Emergency Solutions Grant-Coronavirus funds and auth. agreements for additional svcs. for homeless and those at risk of homelessness, Tr. letter, 268, Pssd., 269

CAUSE COLLABORATIVE, INC.

Auth. agreement for Food Waste Prevention, Donation, and Organics Recycling Education and Outreach Program, Tr. letter, 307, Pssd., 308

CDS CLIFFORD AND JOSEPH APARTMENTS PROJECT

Auth. sale of City-owned parcels, a \$1,000,000 HOME loan, and payment in lieu of taxes agreement for CDS Clifford and Joseph Apartments Proj., Tr. letter, 471, Pssd., 476

Amend. Ord. No. 2020-326 in relation to payment in lieu of taxes agreement for CDS Clifford and Joseph Apartments Proj., Tr. letter, 509, Pssd., 509

CENSUS 2020 COMPLETE COUNT OUTREACH GRANT CAMPAIGN

Auth. agreements and funding for Census 2020 Complete Count Outreach Grant campaign, Tr. letter, 86, Pssd., 88

CENTER FOR DISPUTE SETTLEMENT, INC.

Auth. amend. agreement relating to police complaint management svcs., Tr. letter, 528, Pssd., 528

CENTER FOR GOVERNMENTAL RESEARCH INC.

Auth. agreement for Bureau of Architecture and Engineering structure and staffing analysis, Tr. letter, 84, Pssd., 85

Auth. agreements for community engagement and associated technical svcs. for City projects, Tr. letter, 130, Pssd., 131

CENTER FOR TEEN EMPOWERMENT

Approp. federal forfeiture funds and authorizing agreement to support Police Department community engagement programs, Tr. letter, 69, Pssd., 70

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CENTER FOR YOUTH SERVICES, INC.

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CENTRAL LIBRARY BAUSCH & LOMB BUILDING

Auth. receipt and use of grant to fund building improvements and repairs to Roch.

Public Library's Bausch & Lomb and Arnett Branch buildings, Tr. letter, 491, Pssd., 492

Bond Ord. of City of Roch., New York auth. issuance of \$500,000 Bonds of said City to finance costs of improvements to heating, ventilation and air conditioning system of Central Library Bausch & Lomb Bldg., Tr. letter, 491, Pssd., 493

CHA CONSULTING, INC.

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CHACE STREET

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Auth. building demolition and abatement of properties acquired for Flower City School No. 54 and George Mather Forbes School No. 4 campus modernization projects, Tr. letter, 354, Pssd., 356

CHAMPION ACADEMY MENTORING AND EMPOWERMENT INITIATIVE

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CHAPIN STREET

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CHARLES CARROLL PLAZA AND GENESEE CROSSROADS PARKING GARAGE ROOF SLAB RECONSTRUCTION PROJECT

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Bond Ord. of City of Roch., New York auth. issuance of \$1,250,000 Bonds of said City to finance Phase 1 of Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Proj., Tr. letter, 98, Pssd., 101

CHARLES SETTLEMENT HOUSE, INC.

Auth. lease agreement for Northwest Neighborhood Service Ctr., Tr. letter, 300, Pssd., 301

CHARLOTTE INVESTORS HOUSING DEVELOPMENT FUND COMPANY

Auth. transfer of payment in lieu of taxes agreement for Charlotte Harbortown Homes, Tr. letter, 304, Pssd., 305

CHARLOTTE-LAKE RIVER HOMES HOUSING DEVELOPMENT FUND COMPANY, INC.

Auth. transfer of payment in lieu of taxes agreement for Charlotte Harbortown Homes, Tr. letter, 304, Pssd., 305

CHARTER (SPECTRUM NORTHEAST, LLC)

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Auth. engineering design svcs. agreement for railroad crossings within 2021 Milling & Resurfacing Proj. - Child Street, Dewey Avenue and Glide Street, Tr. letter, 359, Pssd., 359

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CHRISTA DEVELOPMENT CORPORATION, LLC

Amend. Ord. Nos. 2017-165 and 2019-86 and auth. payment in lieu of taxes agreement relating to 270 East Avenue Affordable Housing Project - Inner Loop East Site 2, Tr. letter, 391, Pssd., 393

CITIES CONNECTION CHILDREN TO NATURE INITIATIVE

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L.L. amend. City Charter with respect to name of Department of Recreation and Youth Svs., Tr. letter, 454, Pssd., 454

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Approp. Community Development Block Grant-Coronavirus funds and auth. agreement relating to Bridging the Digital Divide for City school students, Tr. letter, 208, Pssd., 208

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Auth. sale of real estate, Tr. letter, 89, Pssd., 89

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Amend. Zoning Map by changing zoning classifications of properties on Clifford Avenue, Theodore Street and Maria Street, Tr. letter, 14, Pub. hear., 8, Pssd., 15

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Auth. sale of City-owned parcels, a \$1,000,000 HOME loan, and payment in lieu of taxes agreement for CDS Clifford and Joseph Apartments Proj., Tr. letter, 471, Pssd., 476

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Auth. amend. agreement for ROC the Riverway Management Entity Study, Tr. letter, 65, Pssd., 66

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-L-**L2P WESTSIDE HOUSING PROJECT**

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1762 - L.I.O. - establishing cost of assessments related to High Falls Business Improvement Dist. and auth. agreement, Tr. letter, 140, Pub. hear., 126, Pssd., 140

1763 - L.I.O. - Auth. special work and svcs. related to South Avenue/Alexander Street Open Space Dist., Tr. letter, 147, Pub. hear., 126, Pssd., 148

1764 - L.I.O. - establishing operation, installation and maintenance costs of street lighting special assessment districts, Tr. letter, 169, Pub. hear., 126, Pssd., 170

1765 - L.I.O. - care and embellishment of street malls for 2020-21, Tr. letter, 171, Pub. hear., 126, Pssd., 173

1766 - L.I.O. - Continuation of Local Improvement Ord. No. 1619 Relating to Norton Street Urban Renewal Dist. Streetscape Dist., Tr. letter, 173, Pub. hear., 126, Pssd., 173

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1768 - L.I.O. - establishing cost of special work and svcs. related to Main Street improvements of Downtown Enhancement Dist., Tr. letter, 174, Pub. hear., 126, Pssd., 175

1769 - L.I.O. - security and snow removal svcs. at Public Market for 2020-21, Tr. letter, 179, Pub. hear., 126, Pssd., 180

1770 - L.I.O. - Continuation of Local Improvement Ord. No. 1289 relating to Monroe Avenue/Oxford Square Comm. Parking Lot, Tr. letter, 189, Pub. hear., 183, Pssd., 191

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Auth. funding, agreement, and amend. agreement for Mt. Hope Avenue Phase 2 Improvement Proj., Tr. letter, 114, Pssd., 116

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2020-18 - Reso. confirming appt. of Chief Technology Officer, Tr. letter, 34, Held, 34, Adpt., 124

2020-5 - Reso. approv. reappointments to Roch. Public Library Board of Trustees, Tr. letter, 8, Adpt., 9

2020-6 - Reso. approv. appts. to Board of Assessment Review, Tr. letter, 10, Adpt., 11

2020-7 - Reso. auth. implementation, and funding in first instance of 100% of federal-aid and State "Marchiselli" Program-aid eligible costs, of transportation federal-aid project, and approp. funds therefor, Tr. letter, 16, Adpt., 18

2020-8 - Reso. auth. implementation, and funding in first instance of 100% of federal-aid and State "Marchiselli" Program-aid eligible costs, of transportation federal-aid project, and approp. funds therefor, Tr. letter, 18, Adpt., 21

2020-9 - Reso. auth. implementation, and funding in first instance 100% of the federal-aid eligible costs, of transportation federal-aid project, and approp. funds therefor, Tr. letter, 21, Adpt., 22

2020-10 - Reso. auth. implementation and funding in first instance of State-aid Program eligible costs of capital project and approp. funds therefor, Tr. letter, 25, Pssd., 27

2020-11 - Reso. approv. appts. to Police Accountability Board, Tr. letter, 33, Adpt., 34

2020-12 - Reso. approv. appt. to Zoning Board of Appeals, Tr. letter, 50, Adpt., 50

2020-13 - Reso. auth. implementation, and funding in first instance of 100% of federal-aid and State "Marchiselli" Program-aid eligible costs, of transportation federal-aid project, and approp. funds therefor: East Main Street Reconstruction (N. Goodman Street to Culver Road), Tr. letter, 61, Adpt., 63

2020-14 - Reso. approv. appts. to Board of Ethics, Tr. letter, 86, Adpt., 86

2020-15 - Reso. auth. implementation and funding in first instance of State-aid Program eligible costs of capital project and approp. funds therefor: Brewery Line Trail, Tr. letter, 97, Adpt., 98

2020-16 - Reso. - auth. implementation, and funding in first instance of 100% of federal-aid and State "Marchiselli" Program-aid eligible costs, of transportation federal-aid project, and approp. funds therefor: Lyell Avenue Highway Preventive Maintenance (Group 11), Tr. letter, 106, Adpt., 109

2020-17 - Reso. - auth. implementation, and funding in first instance of 100% of federal-aid and State "Marchiselli" Program-aid eligible costs, of transportation federal-aid project, and approp. funds therefor: Mt. Hope Avenue from Rossiter Road to Rochester/Brighton Line, Tr. letter, 114, Adpt., 118

2020-19 - Reso. auth. implementation, and funding in first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of transportation federal-aid project, and approp. funds therefor: Alexander Street & Scio Street Highway Preventive Maint. (Group 2), Tr. letter, 151, Adpt., 152

2020-20 - Reso. auth. implementation, and funding in first instance of 100% of federal-aid and State "Marchiselli" Program-aid eligible costs, of transportation federal-aid project, and approp. funds therefor: Northeast Group 9 Highway Preventive Maintenance, Tr. letter, 152, Adpt., 156

2020-21 - Reso. auth. implementation, and funding in first instance of 100% of federal-aid and State "Marchiselli" Program-aid eligible costs, of transportation federal-aid project, and appropriating funds therefor: Waring Road from

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2020-22 - Reso. auth. City of Roch. CSX Acquisition proj., Tr. letter, 165, Adpt., 166

2020-23 - Reso. endorsing Five Star Bank's application to establish Banking Development Dist., Tr. letter, 188, Adpt., 189

2020-24 - Reso. approv. 2020-21 debt limit for general municipal purposes with exception for certain capital projects, Tr. letter, 232, Adpt., 234

2020-25 - Reso. approv. appts. to Police

Accountability Board, Tr. letter, 287, Adpt., 289

2020-26 - Reso. auth. implementation, and funding in first instance of 100% of federal-aid and State "Marchiselli" Program-aid eligible costs, of the East Main Street Reconstruction (North Goodman Street to Culver Road) transportation federal-aid project, and approp. funds therefor, Tr. letter, 315, Adpt., 317

2020-27 - Reso. relating to standard work day and retirement reporting for Councilmembers, Tr. letter, 343, Adpt., 345

2020-29 - Reso. auth. issuance of subpoenas to various City Departments, and to others, in furtherance of independent investigation into internal communications, processes, and procedures that took place related to death of Daniel Prude after interaction with members of Roch. Police Department, Tr. letter, 428, Adpt., 429

2020-30 - Reso. approv. appt. to City Council, Tr. letter, 430, Adpt., 431

2020-31 - Reso. establishing schedule for Council Committee meetings and Public Hearings during 2021, Tr. letter, 436, Adpt., 436

2020-32 - Reso. establishing schedule for regular meetings of Council during 2021, Tr. letter, 436, Adpt., 437

2020-33 - Reso. approv. appts. to Zoning Board of Appeals, Tr. letter, 440, Adpt., 441

2020-34 - Reso. approv. appts. to City Planning Commission, Tr. letter, 441, Adpt., 442

2020-35 - Reso. approv. appts. to Roch. Preservation Board, Tr. letter, 442, Adpt., 443

2020-36 - Reso. auth. implementation and funding in first instance of State-aid Program eligible costs of capital proj. and approp. funds therefor, Tr. letter, 449, Adpt., 451

2020-37 - Reso. confirming appt. of Executive Director of Police Accountability Board, Tr. letter, 457, Adpt., 457

2020-38 - Reso. establishing maximum number of Commissioners of Deeds, Tr. letter, 494, Adpt., 494

2020-39 - Reso. auth. implementation and funding in first instance of State-aid Program eligible costs of capital project and approp. funds therefor, Tr. letter, 511, Adpt., 512

2020-40 - Reso. auth. implementation, and funding in first instance of 100%, of federal-aid

and State "Marchiselli" Program-aid eligible costs, of transportation federal-aid project, and approp. funds therefor, Tr. letter, 514, Adpt., 515

2020-41 - Reso. auth. implementation, and funding in first instance of 100% of federal-aid and State "Marchiselli" Program-aid eligible costs, of transportation federal-aid project, and approp. funds therefor, Tr. letter, 516, Adpt., 520

2020-42 - Reso. approv. appt. to Police Accountability Board, Tr. letter, 532, Pssd., 533

2020-1 - Reso. for nomination and selection of President of Roch. City Council, Adpt., 1

2020-2 - Reso. for nomination and selection of Vice President of Roch. City Council, Adpt., 1

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Amend. Consolidated Community Development Plan/2019-20 Annual Action Plan, approp. second award of Emergency Solutions Grants-Coronavirus funds, and auth. agreements to provide additional Eviction Prevention and Homeless Svs., Tr. letter, 350, Pssd., 353

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Reso. auth. implementation, and funding in first instance of 100% of federal-aid and State "Marchiselli" Program-aid eligible costs, of transportation federal-aid project, and approp. funds therefor: East Main Street Reconstruction (N. Goodman Street to Culver Road), Tr. letter, 61, Adpt., 63

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RIVERSIDE CONVENTION CENTER. *See* "Joseph A. Floreano Rochester Riverside Convention Center"

ROBERTS, GERARD

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ROC CITY RENTALS, LLC

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ROC CITY SKATE PARK

Auth. funding agreements and amending budget related to ROC City Skate Park, Tr. letter, 70, Pssd., 71

Auth. funding agreements and amend. budget related to ROC City Skate Park, Tr. letter, 180, Pssd., 180

Auth. amend. agreement relating to ROC City Skate Park, Tr. letter, 210, Pssd., 212

Bond Ord. of City of Roch., New York auth. issuance of \$412,000 Bonds of said City to finance ROC City Skate Park, Tr. letter, 210, Pssd., 213

ROC SUMMER SOUL MUSIC FESTIVAL

Auth. amend. booking and production svcs. agreement for 2020 Roc Summer Soul Music Festival, Tr. letter, 41, Pssd., 42

Auth. amend. agreement to provide for sound, lighting, staging, and power production svcs. for 2020 Roc Summer Soul Music Festival, Tr. letter, 42, Pssd., 43

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Auth. funding and agreement for Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Proj., Tr. letter, 98, Pssd., 100

Auth. amend. agreement relating to ROC City Skate Park, Tr. letter, 210, Pssd., 212

ROC THE RIVERWAY MANAGEMENT ENTITY STUDY

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ROC THE RIVERWAY/UPSTATE REVITALIZATION INITIATIVE

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Auth. funding and agreement for Roch. Running Track Bridge Improvements Phase 1 proj., Tr. letter, 25, Pssd., 26

Bond Ord. of City of Roch., New York authorizing of \$770,000 Bonds of said City to finance costs of the Rundel Library Structural Terrace Improvements Phase IV Proj., Tr. letter, 67, Pssd., 68

Auth. funding for Brewery Line Trail project, Tr. letter, 97, Pssd., 98

Auth. funding and agreement for Blue Cross Arena Riverside Addition, Tr. letter, 309, Pssd., 309

Auth. agreements and approp. funds for Pont de Rennes Bridge and Brown's Race Rehabilitation Proj., Tr. letter, 449, Pssd., 451

ROCHESTER ANIMAL SERVICES

Auth. intermunicipal agreement for veterinary technology student externships, Tr. letter, 331, Pssd., 331

Auth. agreement and budgeting for Animal Services Pet Foster Care Stimulus Grant, Tr. letter, 332, Pssd., 333

Auth. amend. agreement for Rachael Ray Save Them All grant from Best Friends Animal Society, Tr. letter, 379, Pssd., 379

Auth. Animal Services licensing and operating agreement with Friends of the Verona Street Animal Shelter Inc., Tr. letter, 484, Pssd., 485

ROCHESTER AREA COMMUNITY FOUNDATION

Auth. grant agreement and funding for Maguire Bldg. improvements, Tr. letter, 31, Pssd., 32

Auth. agreements and funding for Census 2020 Complete Count Outreach Grant campaign, Tr. letter, 86, Pssd., 88

Auth. agreement with Roch. Area Community Foundation for Quad A For Kids After School Program at City schools, Tr. letter, 382, Pssd., 383

Auth. Intermunicipal Cooperation Agreement with County of Monroe relating to Commission

on Racial and Structural Equity, Tr. letter, 386, Pssd., 388

Auth. agreement for implementing Parent Leadership Training Institute, Tr. letter, 426, Pssd., 427

Bond Ord. of City of Roch., New York auth. issuance of \$925,000 Bonds of said City to finance Maguire Building Renovation Proj., Tr. letter, 480, Pssd., 482

ROCHESTER AREA CRIME STOPPERS, INC.

Approp. funds and auth. agreement with Rochester Area Crime Stoppers, Inc., Tr. letter, 323, Pssd., 324

ROCHESTER AREA INTERFAITH HOSPITALITY NETWORK, INC.

Approp. CARES Act coronavirus relief funds and auth. agreements for svcs. for homeless and those at risk of homelessness, Tr. letter, 205, Pssd., 207

Approp. funds and auth. agreements for Emergency Solutions Grant program, Tr. letter, 262, Pssd., 263

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ROCHESTER CAREERS IN CONSTRUCTION, INC.

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Auth. agreement for Project Phoenix program, Tr. letter, 305, Pssd., 306

ROCHESTER COMMUNITY AND YOUTH SPORTS COMPLEX

Auth. agreement for Maguire Building renovations, Tr. letter, 113, Pssd., 113

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ROCHESTER COMMUNITY TV, INC.

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ROCHESTER DOWNTOWN DEVELOPMENT CORPORATION

Auth. funding agreements and amend. budget related to ROC City Skate Park, Tr. letter, 180, Pssd., 180

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ROCHESTER ECONOMIC DEVELOPMENT CORPORATION

Auth. agreement and funding for Financial Empowerment Centers Initiative, Tr. letter, 9, Pssd., 10

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Auth. agreement for "Walled Garden" Development Proj., Tr. letter, 438, Pssd., 439

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ROCHESTER FIRE ACADEMY INACTIVE HAZARDOUS WASTE DISPOSAL SITE

Bond Ord. of City of Roch., New York auth. issuance of \$240,000 Bonds of said City to finance costs of environmental remediation improvements at Rochester Fire Academy site in City, Tr. letter, 274, Pssd., 275

ROCHESTER GAS AND ELECTRIC CORPORATION

Auth. grant agreement and appropriation for David F. Gantt R-Ctr., Tr. letter, 167, Pssd., 168

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Approp. geometric changes on Exchange Boulevard and receipt of funding for electrical and lighting improvements related to West River Wall Segment 1 Proj., Tr. letter, 318, Pub. hear., 291, Pssd., 319

ROCHESTER HOUSING DEVELOPMENT FUND CORPORATION

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Approp. funds and auth. agreements for HOME Rochester Program Management and Community Housing Development Organization (CHDO) Reserve program, Tr. letter, 256, Pssd., 258

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ROCHESTER INTERNATIONAL JAZZ FESTIVAL LLC

Auth. agreement for 2020 Roch. International Jazz Festival, Tr. letter, 40, Pssd., 41

**ROCHESTER JOINT SCHOOLS
CONSTRUCTION BOARD**

Amend. Ord. No. 2020-99 as it relates to land acquisitions for Flower City School No. 54 campus modernization proj., Tr. letter, 301, Pssd., 302

Auth. building demolition and abatement of properties acquired for Flower City School No. 54 and George Mather Forbes School No. 4 campus modernization projects, Tr. letter, 354, Pssd., 356

**ROCHESTER JOINT SCHOOLS
CONSTRUCTION BOARD FACILITIES
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ROCHESTER MANAGEMENT, INC.

Auth. sale of City-owned parcels and loan and payment in lieu of taxes and loan agreements for the Zion Hill Senior Apartments proj., Tr. letter, 416, Pssd., 418

ROCHESTER PRESERVATION BOARD

Reso. approv. appts. to Roch. Preservation Board, Tr. letter, 442, Adpt., 443

**ROCHESTER PUBLIC LIBRARY BOARD
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ROCHESTER PURE WATERS DISTRICT

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**ROCHESTER RECREATIONAL SWIM
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**ROCHESTER REFUGEE RESETTLEMENT
SERVICES, INC.**

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ROCHESTER REGIONAL HEALTH

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**ROCHESTER RUNNING TRACK BRIDGE
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Auth. funding and agreement for Roch. Running Track Bridge Improvements Phase 1 proj., Tr. letter, 25, Pssd., 26

Reso. auth. implementation and funding in first instance of State-aid Program eligible costs of capital project and approp. funds therefor, Tr. letter, 25, Pssd., 27

**ROCHESTER SCHOOLS
MODERNIZATION PROGRAM FUNDS**

Amend. Ord. No. 2020-99 as it relates to land acquisitions for Flower City School No. 54 campus modernization proj., Tr. letter, 301, Pssd., 302

Auth. building demolition and abatement of properties acquired for Flower City School No. 54 and George Mather Forbes School No. 4 campus modernization projects, Tr. letter, 354, Pssd., 356

**ROCHESTER SOCIETY FOR THE
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Determinations and findings relating to acq. of permanent water line easements over 275 East Avenue, 78 Rockwood Street, 80 Rockwood Street and 625 South Goodman Street, Tr. letter, 245, Pub. hear., 223, Pssd., 245

ROCMUSIC PROGRAM

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**RUNDEL LIBRARY STRUCTURAL
TERRACE IMPROVEMENTS PHASE IV
PROJECT**

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Auth. agreement for Rundel Memorial Library Exterior Building Envelope Repairs proj., Tr. letter, 119, Pssd., 120

Bond Ord. of City of Roch., New York auth. issuance of \$744,000 Bonds of said City to finance costs of Rundel Memorial Library Exterior Building Envelope Repairs, Tr. letter, 119, Pssd., 121

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Amend. Ord. Nos. 2009-247 and 2019-192 relating to acquisitions for Lawn Street Improvement Project and Manor Parkway Improvement Project, Tr. letter, 515, Pssd., 516

SAGER DRIVE

Auth. pavement width and traffic flow changes for Sager Drive between Culver Road and East Boulevard, Tr. letter, 23, Pub. hear., 8, Pssd., 24

Auth. agreement for Sager Drive Improvement Proj., Tr. letter, 213, Pssd., 216

Bond Ord. of City of Roch., New York auth. issuance of \$287,000 Bonds of said City to finance water line and water service improvements associated with Sager Drive Improvement Proj., Tr. letter, 213, Pssd., (216 ? no vote listed)

Bond Ord. of City of Roch., New York auth. issuance of \$1,342,000 Bonds of said City to finance Sager Drive Improvement Proj., Tr. letter, 213, Pssd., 215

SAGER DRIVE IMPROVEMENT PROJECT

Auth. agreement for Sager Drive Improvement Proj., Tr. letter, 213, Pssd., 216

Bond Ord. of City of Roch., New York auth. issuance of \$287,000 Bonds of said City to finance water line and water service improvements associated with Sager Drive Improvement Proj., Tr. letter, 213, Pssd., (216 ? No vote noted.)

Bond Ord. of City of Roch., New York auth. issuance of \$1,342,000 Bonds of said City to finance Sager Drive Improvement Proj., Tr. letter, 213, Pssd., 215

SALVATION ARMY OF GREATER ROCHESTER

Approp. funds and auth. agreements for Emergency Solutions Grant program, Tr. letter, 262, Pssd., 263

Approp. Emergency Solutions Grant-Coronavirus funds and auth. agreements for additional svcs. for homeless and those at risk of homelessness, Tr. letter, 268, Pssd., 269

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Approp. CARES Act coronavirus relief funds and auth. agreements for svcs. for homeless and those at risk of homelessness, Tr. letter, 205, Pssd., 207

Approp. funds and auth. agreements for Emergency Solutions Grant program, Tr. letter, 262, Pssd., 263

SAXTON STREET

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Bond Ord. of City of Roch., New York auth. issuance of \$240,000 Bonds of said City to finance costs of environmental remediation improvements at Rochester Fire Academy site in City, Tr. letter, 274, Pssd., 275

SECOND STREET

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L.I.O. - security and snow removal svcs. at Public Market for 2020-21, Tr. letter, 179, Pub. hear., 126, Pssd., 180

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Bond Ord. of City of Roch., New York auth. issuance of \$1,900,000 Bonds of said City to finance portion of City's 2020 Water Main Cleaning and Cement Lining Project of Distribution System Water Main Renewal Program, Tr. letter, 54, Pssd., 56

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Auth. receipt and use of State funds for Recreational Trail Program, Tr. letter, 165, Pssd., 166

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SEWARD STREET

Bond Ord. of City of Roch., New York auth. issuance of \$806,000 Bonds of said City to finance Cottage-Magnolia Street Rehabilitation Proj., Tr. letter, 359, Pssd., 362

Bond Ord. to City of Roch., New York auth. issuance of \$571,000 Bonds of said City to finance water service improvements associated with Cottage-Magnolia Street Rehabilitation Proj., Tr. letter, 359, Pssd., 363

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Approp. funds from Roch. Pure Waters Dist., Tr. letter, 520, Pssd., 521

SEX OFFENDERS

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SHERER STREET

Amend. Zoning Map by changing zoning classification of properties on Sherer Street and on Craig Street, Tr. letter, 408, Pub. hear., 390, Pssd., 409

SHERMAN STREET

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Auth. building demolition and abatement of properties acquired for Flower City School No. 54 and George Mather Forbes School No. 4 campus modernization projects, Tr. letter, 354, Pssd., 356

SIBLEY PLACE

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L.I.O. - Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2020 and expiring June 30, 2021, Tr. letter, 235, Pssd., 240

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Auth. acq. by negotiation or condemnation of properties for the Flower City School No. 54 Campus Modernization Project, Tr. letter, 92, Held, 94

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Auth. sale of real estate and grant agreement with Flower City Habitat for Humanity, Inc., Tr. letter, 264, Pssd., 265

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United States Department of Housing and Urban Development and execution of grant agreements, Tr. letter, 225, Pssd., 227

Amend. Consolidated Community Development Plan/2019-20 Annual Action Plan, approp. second award of Emergency Solutions Grants-Coronavirus funds, and auth. agreements to provide additional Eviction Prevention and Homeless Svcs., Tr. letter, 350, Pssd., 353

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Auth. receipt and use of United States Department of Justice funds to investigate organized narcotics trafficking and violence, Tr. letter, 27, Pssd., 28; Tr. letter, 177, Pssd., 177

Auth. agreement for Department of Justice Coronavirus Emergency Supplemental Funding Program grant, Tr. letter, 325, Pssd., 326

Auth. amend. agreements for COPS Community Policing Development Micro-Grant program, Tr. letter, 424, Pssd., 425

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Auth. agreement for occupational health svcs. related to City's REJob 2.0 Training Program, Tr. letter, 513, Pssd., 514

UNITED STATES MARSHALS SERVICE

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Approp. Community Development Block Grant-Coronavirus funds and auth. agreement relating to Bridging the Digital Divide for City school students, Tr. letter, 208, Pssd., 208

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Bond Ord. of City of Roch., New York auth. issuance of \$342,000 Bonds of said City to finance costs of University Firehouse Truck Bay Alteration, Tr. letter, 280, Pssd., 281

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Auth. appropriations and amend. Section 3 of Ord. 2018-335 for 2018 Preventive Maint. Northeast Group 1, Tr. letter, 16, Pssd., 17

Reso. auth. implementation, and funding in first instance of 100% of federal-aid and State "Marchiselli" Program-aid eligible costs, of transportation federal-aid project, and approp. funds therefor, Tr. letter, 16, Adpt., 18

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URBAN LEAGUE OF ROCHESTER, NY, INC.

Approp. funds and auth. agreements for the Homebuyer Training Program, Tr. letter, 258, Pssd., 259

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URBAN LEAGUE OF ROCHESTER ECONOMIC DEVELOPMENT CORPORATION

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VACUUM OIL BROWNFIELD OPPORTUNITY AREA RIVER TRAIL

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VANGUARD ENGINEERING, P.C.

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VARGAS ASSOCIATES INC.

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VEHICLE PURCHASE

Bond Ord. of City of Roch., New York auth. issuance of \$1,136,000 Bonds of said City to finance replacement of one Engine Pumper at Lyell Avenue Firehouse and one Engine Pumper at North Clinton Avenue Firehouse, Tr. letter, 333, Pssd., 334

VERONA STREET ANIMAL SHELTER

Auth. Animal Services licensing and operating agreement with Friends of the Verona Street Animal Shelter Inc., Tr. letter, 484, Pssd., 485

VETERANS OUTREACH CENTER, INC.

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VNV PROPERTIES, INC.

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VOLUNTEERS OF AMERICA OF**WESTERN NEW YORK, INC.**

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VOYAGER BOAT SALES, INC.

Auth. real estate lease agreement with Voyager Boat Sales, Inc., Tr. letter, 501, Pssd., 501

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"WALLED GARDEN" DEVELOPMENT PROJECT

Auth. agreement for "Walled Garden" Development Proj., Tr. letter, 438, Pssd., 439

WALNUT STREET

Bond Ord. of City of Roch., New York auth. issuance of \$1,900,000 Bonds of said City to

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WARING ROAD

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Bond Ord. of City of Roch., New York auth. issuance of \$1,900,000 Bonds of said City to finance portion of City's 2020 Water Main Cleaning and Cement Lining Project of Distribution System Water Main Renewal Program, Tr. letter, 54, Pssd., 56

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Bond Ord. of City of Roch., New York auth. issuance of \$500,000 Bonds of said City to finance portion of costs of City's 2020 Lead Service Line Replacement Program, Tr. letter, 95, Pssd., 97

Bond Ord. to City of Roch., New York auth. issuance of \$571,000 Bonds of said City to finance water service improvements associated with Cottage-Magnolia Street Rehabilitation Proj., Tr. letter, 359, Pssd., 363

Bond Ord. of City of Roch., New York auth. issuance of \$1,700,000 Bonds of said City to finance water line and water service improvements associated with East Main Street Improvement Proj., Tr. letter, 516, Pssd., 520

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Bond Ord. of City of Roch., New York auth. issuance of \$1,900,000 Bonds of said City to finance portion of City's 2020 Water Main Cleaning and Cement Lining Project of Distribution System Water Main Renewal Program, Tr. letter, 54, Pssd., 56

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WEST MAIN STREET

Auth. lease agreement for portion of 835-855 West Main Street, Tr. letter, 49, Pssd., 50

Auth. agreement for West Main Street Transportation and Placemaking Study, Tr. letter, 420, Pssd., 420

WEST MAIN STREET TRANSPORTATION AND PLACEMAKING STUDY

Auth. agreement for West Main Street Transportation and Placemaking Study, Tr. letter, 420, Pssd., 420

WEST RIVER WALL PROJECT

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WILLOW DOMESTIC VIOLENCE CENTER OF GREATER ROCHESTER, INC.

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WINTEK. See Winter, Greg J., D.B.A WINTEK**WINTER, GREG J., D.B.A WINTEK**

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-Y-**YOUNG, ERIC J.**

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-Z-**ZION HILL SENIOR APARTMENTS PROJECT**

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Amend. Zoning Map by changing zoning classifications of properties on Clifford Avenue, Theodore Street and Maria Street, Tr. letter, 14, Pub. hear., 8, Pssd., 15

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ZONING MAP

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Auth. funding and agreement for Zoning Code and Map Update, Tr. letter, 409, Pssd., 410

Amend. Zoning Code and Map to delete six expired U-R Urban Renewal Districts, Tr. letter, 504, Pub. hear., 489, Pssd., 505