

ROCHESTER CITY COUNCIL

REGULAR MEETING

December 18, 2018

Present – President Scott, Councilmembers Clifford, Evans, Gruber, Lightfoot, McFadden, Ortiz, Patterson – 8

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.

Recognition Ceremony

DES:

- *Yolanda Arroniz-Vrooman
- *Edward L. Kelley

RFD:

- *Frederick A. Denunzio

RPD:

- *William J. Danno
- *Thomas A Motsay
- *Donna A. Roulin

*Did not attend

APPROVAL OF THE MINUTES

By Councilmember Clifford

RESOLVED, that the minutes of the Regular Meeting of November 15, 2018 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges. -4297-18

The Council submits Disclosure of Interest Forms from Councilmember Gruber on Int. No. 429 and Councilmember Ortiz on Int. No. 424 and Int. No. 425.

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

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

December 18, 2018

By Vice President McFadden
December 18, 2018

To the Council:

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

- | | |
|--------------|--|
| Int. No. 418 | Authorizing an amendatory agreement with Ostroff Associates, Inc. for state lobbying services |
| Int. No. 419 | Authorizing an agreement for dental insurance |
| Int. No. 420 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$18,795,000 Bonds of said City to finance the costs of improvements to specified City School District schools |
| Int. No. 421 | Authorizing an amendatory agreement for organizational design and strategic planning services |
| Int. No. 422 | Resolution establishing the maximum number of Commissioners of Deeds |
| Int. No. 455 | Authorizing administrative tax cancellations and refunds of \$1,000 or less for 2019 |
| Int. No. 457 | Resolution approving appointments to the Board of Assessment Review |

Respectfully submitted,
Adam C. McFadden
Molly Clifford
Malik Evans
Michael A. Patterson
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-379
Re: Amendatory Agreement – Ostroff
Associates, Inc., State Lobbying
Services

December 18, 2018

Transmitted herewith for your approval is legislation establishing \$41,000 as maximum annual compensation for an amendatory agreement with Ostroff Associates, Inc. (Principal: Richard Ostroff) to continue coordination of the City of Rochester's State advocacy for high-level projects, such as the redevelopment of the Genesee River waterfront. The term of the agreement will be for one year, with the option to renew for up to two additional one-year periods. The original agreement was authorized in December, 2017 (Ordinance No. 2017-380) for \$25,000; this amendment brings the maximum compensation to a total of \$148,000. The amendatory agreement will be funded from the 2018-19 Budget of Undistributed Expenses. The renewals, if exercised, will be funded from future Budgets of Undistributed, contingent upon their approval.

Ostroff Associates, Inc. will continue to provide the following services:

- Coordinate the City of Rochester's State advocacy for high-level projects, such as the redevelopment of the Genesee River waterfront;
- Meet with state agencies on behalf of the City of Rochester to advocate for such projects; and
- Assist in the tracking of legislation and other State government news affecting the City of Rochester.

Of the \$41,000 annual cost, no more than \$1,000 will be for reimbursable expenses, including travel.

Ostroff Associates, Inc. was selected through a request for proposals process in December, 2017 as described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-191

Ordinance No. 2018-379
(Int. No. 418)

Authorizing an amendatory agreement with Ostroff Associates, Inc. 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 an amendatory professional services agreement with Ostroff Associates, Inc. to continue coordination of the City's state advocacy for high-level projects. The amendment shall extend the term of the original agreement, authorized by Ordinance No. 2017-380, for one year with the option for up to two additional one-year renewals and increase the maximum compensation from \$25,000 to an annual amount of \$41,000 for the one year extension and renewal periods. The amendatory agreement shall be funded from the 2018-19 Budget of Undistributed Expenses and the renewals, if exercised, from future Budgets of Undistributed Expenses, contingent upon their 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.

December 18, 2018

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-380
Re: Agreement – Guardian Dental Plan
Administration Services

Council Priority: Deficit Reduction and Long
Term Financial Stability

Transmitted herewith for your approval is legislation establishing \$90,000 as maximum compensation for an agreement with The Guardian Life Insurance Company of America (Deanna M. Mulligan, President and Chief Executive Officer, New York NY) for administration of the Dental Insurance Plan for all City employees. The agreement shall be in effect for one year (1/1/19 – 12/31/19), with an option for two one-year renewals, and will be funded from the 2018-19 (\$45,000) and 2019-20 (\$45,000) Budgets for Undistributed Expenses, contingent upon approval of future budget. The optional renewals will be funded from the 2019-20 (\$45,000), 2020-21 (\$90,000) and 2021-22 (\$45,000) Budgets for Undistributed Expenses, contingent upon approval of said future budgets.

Guardian has provided a variety of dental benefits for City employees on both a fully-insured and self-insured basis since 2005. This recommendation provides the designation of Guardian as plan administrator for one self-funded collective dental plan that is offered to all benefit-eligible City employees.

Guardian was selected through a Request for Proposal process described in the attached summary.

An annual maximum benefit per participant limits the City’s self-insurance liability with regard to large claims.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-192

Ordinance No. 2018-380
(Int. No. 419)

Authorizing an agreement for dental insurance

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 Guardian Life Insurance Company of America for administration of dental insurance plans for all benefit-eligible City employees. The agreement shall have a term of one year with two optional one-year renewals. The maximum annual compensation shall be \$90,000, funding for the first year shall be from the 2018-19 Budget of Undistributed Expenses (\$45,000) and 2019-20 Budget for Undistributed Expenses (\$45,000), contingent upon approval. Funding for the renewal years, if exercised, shall be from future 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.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2018-381
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 \$18,795,000 as debt to be authorized for the 2018-19 fiscal year for the RCSD; and
2. Authorize the issuance of bonds for \$18,795,000 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 2018-19 the RCSD will liquidate \$18,796,896 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 \$62,214,517 (*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. In addition, RCSD's required cash capital allocation of \$10 million shall be in accordance with New York State Finance law.

Attachment C is a letter from the School District detailing the planned uses of the new bonds. The office of Management and Budget's review of the district's 2018-19 cash capital allocation confirmed compliance with the policy. A copy of the Board of Education Resolution approving the capital plan is forthcoming.

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 November 13, 2018 has confirmed the RCSD has met the Maintenance of Effort (MOE) requirement for 2018-19. 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 Warren
Mayor

Attachment No. AR-193

Ordinance No. 2018-381
(Int. No. 420)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$18,795,000 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 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, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$18,795,000 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 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. 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
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
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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-382
Re: Amendatory Agreement – Baker Tilly,
Organizational Design and Strategic
Planning Services

Council Priority: Deficit Reduction and Long
Term Financial Stability

Transmitted herewith for your approval is legislation establishing maximum compensation for an amendatory agreement with Baker Tilly Virchow Krause, LLP (referred to as Baker Tilly; principal: Alan D. Whitman) of Philadelphia, PA. The original agreement was authorized after a request for proposal process in May 2018 in the amount of \$121,145 (Ordinance No. 2018-115). This agreement will increase the maximum compensation by \$41,986 to a total of \$163,131. This agreement will be funded from the 2018-19 Budget of Undistributed Expenses. The term of the agreement remains one year.

The original scope of this contract involved the development of a strategic vision for the City, as well as an analysis of the City’s organizational structure, providing recommendations for implementation to improve service delivery. Initial engagement and analysis by Baker Tilly has identified a need to expand the current contract scope to allow for an in-depth study of the operations and structure of the Information Technology (IT) department and how they relate to other City department operations.

The expanded formal analysis of the City’s IT department will identify strengths, weaknesses, and opportunities in the IT department’s project management and service delivery. The study will also evaluate the City’s IT governance, as well as project prioritization and alignment of IT service delivery relative to City objectives. The overall goal is to improve how the IT department provides both daily operational support to City departments, as well as enhance the department’s ability to provide project management services for large software implementations. Any proposed structural changes will be accompanied by analyses that will quantify the potential for financial savings and service improvement.

December 18, 2018

Baker Tilly has experience working with more than 1,000 state and local governments in analyzing, advising, and implementing policy and program solutions and specializes in public sector organizational operational assessments. The overall contract will continue to be led by Russel A. Hissom, a firm partner and CPA with over thirty years of experience in enterprise risk advisory and internal audit services, business process control and improvement, performance management, and operations reviews. The IT portion of the analysis will be carried out by three consultants with decades of experience working with public and private sector technology departments in reforming and optimizing their governance, internal structure, service delivery processes, and project management frameworks.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-382
(Int. No. 421)

Authorizing an amendatory agreement for organizational design and strategic planning 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 Baker Tilly Virchow Krause, LLP to provide additional organizational design and strategic planning services. The amendment shall increase the maximum compensation of the original agreement, which was authorized by Ordinance No. 2018-115, by \$41,986 to a total of \$163,131. The amendatory compensation amount shall be funded from the 2018-19 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 by the following vote:

Ayes – President Scott, Councilmember Evans, Gruber, Lightfoot, McFadden, Ortiz, Patterson – 7.

Nays – Councilmember Clifford, Spaul – 2.

TO THE COUNCIL
Ladies and Gentlemen:

December 18, 2018

Resolution No. 2018-24
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 2019 and 2020. 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. 2018-24
(Int. No. 422)

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 2019 and 2020, 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. 2018-383
Re: Authorization – 2019 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 2019 calendar year.

Each year, approximately 63,000 tax bills are issued by the City. In 2017-18 these bills contained a total of \$242,844,025.06 in City and School taxes, charges and fees, and delinquencies. Of that amount, taxes and charges totaling \$1,690,135.56, or 0.70 % of the total billed amount, were subsequently determined to be erroneous and were canceled. These cancellations involved 197 accounts or 0.31 % 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.

December 18, 2018

Delegation of this authority was initially approved by the Council in March 1987. Annual authorization is required. In December 2017, Council re-authorized the Director of Finance to cancel up to \$1,000 per account during 2018 (Ord. No. 2017-378). 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. 2018-383
(Int. No. 455)

Authorizing administrative tax cancellations and refunds of \$1,000 or less for 2019

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 2019.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Resolution No. 2018-25
Appointment - Board Of Assessment
Review

December 18, 2018

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)

Gary Thomas, 1 Bly Street, Rochester, NY 14620

Susan Sanford, 76 Bond Street, Rochester, NY 14620

Temporary Panel Members (1-year term)

Carmen Diamond, 342 Birr Street Street, Rochester, NY 14613

Carlos Mercado, 12 Vick Park A, Rochester, NY 14607

Gerard Roberts, 32 Berkeley Street, Rochester, NY 14607

LaShay Harris, 323 Aldine Street, Rochester, NY 14619

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

Mark Ballou, 409 Park Avenue, Rochester, NY 14607*

Resumes of the above appointees are on file with the City Clerk and all reappointments have maintained perfect attendance when scheduled to serve. Appointees listed with an asterisk are first time appointments to the Board of Assessment and Review.

Gary Thomas is being appointed as a permanent panel member in order to finish Michael Galtizdorfer's term which expires 9/30/19. Mr. Galtizdorfer moved out of the City. Mr. Thomas has served as a 1 year – temporary member and maintained perfect attendance in that capacity.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2018-25
(Int. No. 457)

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

Gary Thomas
1 Bly Street
Rochester, NY 14620

to the Board of Assessment Review for the remainder of a term that will expire on September 30, 2019.

Section 2. The Council hereby approves the appointment of

December 18, 2018

Susan Sanford
76 Bond Street
Rochester, NY 14620

to the Board of Assessment Review for a term that will expire on September 30, 2023.

Section 3. The Council hereby approves the appointments of

Carmen Diamond
342 Birr Street
Rochester, New York 14613

and

Carlos Mercado
12 Vick Park A
Rochester, New York 14607

and

Gerald Roberts
32 Berkeley Street
Rochester, New York 14607

and

LaShay Harris
323 Aldine Street
Rochester, NY 14619

and

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

and

Mark Ballou
409 Park Avenue
Rochester, NY 14620

to the Board of Assessment Review for a term that will expire on September 30, 2019.

Section 4. This resolution shall take effect immediately.

December 18, 2018

Adopted unanimously.
By Councilmember Patterson
December 18, 2018

To the Council:

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

- | | |
|--------------|---|
| Int. No. 423 | Authorizing the sale of real estate |
| Int. No. 424 | Authorizing credit bid agreement with the Rochester Land Bank Corporation |
| Int. No. 425 | Authorizing a shared services agreement with the Rochester Land Bank Corporation |
| Int. No. 426 | Authorizing a lease agreement for storage at The Port Terminal Building |
| Int. No. 427 | Authorizing an amendatory lease agreement for space in the Port Terminal Building |
| Int. No. 428 | Authorizing agreements to support housing quality improvement and enforcement relating to Phase II of the Cities for Responsible Investment and Strategic Enforcement program |
| Int. No. 429 | Authorizing appropriations and amendatory agreement for application intake services for the City's housing repair programs |
| Int. No. 430 | Authorizing receipt and use of grant funds and agreements for housing repair programs, as amended |
| Int. No. 431 | Authorizing receipt and use of grant funds and agreements for the Brownfield Cleanup Revolving Loan Fund Program |
| Int. No. 432 | Authorizing the assumption of debt, amending of loan agreements and payments in lieu of taxes for the St. Bernard's affordable senior rental development |
| Int. No. 433 | Authorizing an amendatory agreement for planning services for the Bull's Head Revitalization Project |
| Int. No. 434 | Resolution approving appointments to the City Planning Commission |
| Int. No. 456 | Local Law extending the Residential-Commercial Urban Exemption Program |

December 18, 2018

Respectfully submitted,
Michael A. Patterson
Willie J. Lightfoot
Jacklyn Ortiz (Absent)
Adam C. McFadden
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-384
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of eleven 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 eight properties were sold to the respective highest bidder at a surplus auction. All purchasers will be required to rehabilitate the structures within 12 months of City Council approval.

The next property is a parking lot sold by negotiated sale to the owner of the property next door known as the Pelican's Nest, who will use it to expand his business.

The next property is a vacant lot sold by negotiated sale to the adjacent owner. The purchaser will combine the lots with her existing property to use for additional greenspace.

The last property is an unbuildable vacant lot, being sold for \$1.00 (as per City policy) to the adjacent owner who will combine the lot with his existing property.

The first year projected tax revenue for these twelve properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$11,281.

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. AR-194

Ordinance No. 2018-384
(Int. No. 423)

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 sale of the following parcels of improved property by regular auction:

Address	SBL#	Lot Size	Price	Purchaser
177 Berlin St	106.24-1-38	42 x 107	\$ 3,900	Terence Brown
‡ 171 Berlin St	106.24-1-37	45 x 107		
35 Delmar St	105.49-1-23	40 x 125	\$ 8,800	BSD Syndicate LLC
75 Iceland Pk	120.67-2-53	36 x 48	\$ 3,400	Corey Provenzano
‡ 65 Iceland Pk	120.67-2-52	36 x 48		
533 Jefferson Av	120.59-2-89.2	35 x 132	\$ 2,500	Leticia Astacio
331 Sherman St	105.50-1-10	43 x 120	\$ 7,200	Maximo DeValle
137 Thurston Rd	120.64-1-14	41 x 120	\$29,000	Radnage Property LLC

‡ indicates vacant lot sold in conjunction with the structure listed above it

Section 2. 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
550 River St	047.63-1-3.4	30 x 164	4,948	\$35,000	T&S Holding Corp.

Section 3. The Council hereby approves the negotiated sale of the following parcel of vacant land:

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
618 Mt Read Blvd	105.70-2-89	40 x 126	5,050	\$450	Cassandra Megan Zimmerman

Section 4. The Council hereby approves the negotiated sale of the following parcel of unbuildable vacant land for the sum of \$1.00:

Address	SBL#	Lot Size	Sq. Ft.	Purchaser
37-39 Clairmount St	106.36-1-3	39 x 99	3,828	Emilio Rivera

December 18, 2018

Section 5. 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 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-385
Re: Authorizing a Credit Bid Agreement

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester Land Bank Corporation (the "Land Bank") for the purchase of tax foreclosed properties through the use of the credit bid for a term of five (5) years, to commence January 1, 2019, with an option to renew for an additional five (5) year term.

In November 2012, pursuant to Ordinance No. 2012-416, the Rochester City Council approved the formation of the Land Bank. Article 16 of the Not-for-Profit Corporation Law (the "Land Bank Act") empowers the Land Bank to acquire real property by utilizing a "preferred bid" at a tax foreclosure auction, whereby properties shall be sold to the land bank for the amount of the City's opening bid, regardless of any bids by any other third parties. The Land Bank Act further provides for use of a "credit bid", which shall be paid as to its form, substance, and timing according to such agreement as is mutually acceptable to the City and the Land Bank.

The standard terms of sale at the tax foreclosure auction require payment of an immediate deposit for each property purchased, and full payment of the balance of the purchase price within two business days of the auction. The agreement proposed herein will exempt the Land Bank from placing a deposit, and will establish that full bid price must be paid to the City by the Land Bank at some time prior to the end of the fiscal year in which the property is acquired. Extensions may be granted at the discretion of the City Treasurer.

City Council previously authorized the Credit Bid Agreement via Ordinance No. 2014-62 at its March 25, 2014 meeting.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-385
(Int. No. 424)

Authorizing credit bid agreement with the Rochester Land Bank Corporation

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

Section 1. The Mayor is hereby authorized to enter into a credit bid agreement with the Rochester Land Bank Corporation (“Land Bank”) setting forth the terms and conditions on which the Land Bank shall be authorized to purchase properties being sold pursuant to a tax foreclosure auction initiated by the City. Said agreement shall also provide for the terms of payment for properties that the Land Bank purchases.

Section 2. The credit bid agreement shall have a term of five years, with an option to extend the term an additional 5 years.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes –President Scott, Councilmember Clifford, Evans, Gruber, Lightfoot, McFadden, Patterson, Spaul – 8.

Nays – None - 0.

Councilmember Ortiz abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-386

Re: Agreement with Rochester Land Bank
Corporation for Shared Services

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the Mayor to enter into an agreement with the Rochester Land Bank Corporation (Land Bank) for shared services for a term of five (5) years, to commence January 1, 2019, with an option to renew for an additional five (5) year term.

In November 2012, pursuant to Ordinance No. 2012-416, Rochester City Council approved the formation of the Rochester Land Bank Corporation (the “Land Bank”) by the City under Section 1603(a) of Article 16 of the Not-for-Profit Corporation Law (“the Land Bank Act”). The Land Bank operates as a legal corporation without a separate staffing structure. As provided in Ordinance No. 2012-416, the Land Bank is managed by a seven member board made up of one appointee by the Mayor, one appointee by the President of City Council and five City officials who serve ex-officio, currently the City Treasurer, the Director of Development Services, the Manager of Housing, the Director of Buildings and Zoning and the Chief of Staff of City Council.

Since 2013 the Land Bank has continued to submit grant applications to the NYS Office of the Attorney General (the “OAG”) and has been awarded grant funds under the Community Revitalization Initiative

Program. As a prerequisite to execution of future grant agreements between the Land Bank and the OAG, the Land Bank must demonstrate that it has the capacity to accomplish the project goals. The cooperative agreement to be authorized by this legislation will enable the Land Bank to demonstrate such capacity to the OAG, and will provide required support for continued operation of the Land Bank.

The Shared Services Agreement will provide for the following City support at no cost to the Land Bank, except to the extent that these services are specifically reimbursable by the OAG under a Community Revitalization Initiative Program grant:

- Shared staffing.
- Shared use of office space, supplies, materials and equipment.
- Property maintenance equivalent to that provided for City-owned real estate.
- Legal services for the Land Bank including arbitration services to resolve disputes.
- Marketing and promotion assistance.
- Information technology, including telephonic services, inventory maintenance, internet support and electronic record keeping.
- Financial services.
- Appraisal services and technical assistance of real estate staff.
- Environmental costs required prior to disposing of the property.
- Demolition services.
- Payment of charges attributable to the property during the period of the Land Bank ownership.
- Liability insurance for Land Bank activities and casualty insurance for real property owned by the Land Bank.

City Council previously authorized the Shared Services Agreement via Ordinance No. 2014-38 at its February 27, 2014 meeting and, as amended, via Ordinance No. 2015-5 at its January 20, 2015 meeting.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-386
(Int. No. 425)

Authorizing a shared services agreement with the Rochester Land Bank Corporation

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

December 18, 2018

Section 1. The Mayor is hereby authorized to enter into a shared services agreement with the Rochester Land Bank Corporation (“Land Bank”) for the City to provide staff assistance, office space, supplies, financial services, insurance, legal services, administrative support, property maintenance, appraisal services, demolition services, and other types of assistance to the Land Bank. Said agreement shall also provide for cooperation between the City and the Land Bank in carrying out the mission of the Land Bank and the development strategies and policies of the City.

Section 2. The agreement shall have a term of five years with the option to extend the term an additional 5 years.

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

Section 4. This ordinance shall take effect immediately

Passed by the following vote:

Ayes –President Scott, Councilmember Clifford, Evans, Gruber, Lightfoot, McFadden, Patterson, Spaul – 8.

Nays – None - 0.

Councilmember Ortiz abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-387
Re: Lease Agreement - California Rollin
II-Storage

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Transmitted herewith for your approval is legislation approving a lease agreement between the City of Rochester and Thomas Beaman Jr., d/b/a California Rollin II, 166 Gordon Drive, Rochester, NY 14626), for the use of 400 SF of space for storage at 1000 North River St (a portion of Suite 109), which is part of The Port of Rochester. The term of the lease will be five (5) years with one additional 5 year renewal. The monthly rental amount will be \$233 calculated at an annual rate of \$7 per square foot which was established through an independent appraisal performed by Kevin Bruckner, MAI, of Bruckner, Tillett, Cahill & Rossi Inc. as of February 2018.

California Rollin II’s restaurant lease was approved at the May 2018 City Council meeting via ordinance number 2018-120. California Rollin II requested this additional space (Suite 109) for off season dry storage of materials and equipment related specifically to its operation of its business as a restaurant and bar in the leased premises of Suites 104,105 and 106.

Respectfully submitted,

Lovely A. Warren
Mayor

Attachment No. AR-195

Ordinance No. 2018-387
(Int. No. 426)

Authorizing a lease agreement for storage at The Port Terminal Building

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

WHEREAS, the City of Rochester has received a proposal for the lease of 400 square feet of space in Suite 109 of 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 5 years with one optional five-year renewal term, 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 Thomas Beaman Jr. doing business as California Rollin, II for use of 400 square feet of space in Suite 109 of the Port Terminal Building. The agreement shall have a term of 5 years with one optional five-year renewal term. The monthly rental amount shall be \$233.

Section 2. The lease 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. 2018-388
Re: Lease Amendment - The Jetty
1000 N River Street, Port Terminal Building

Council Priority: Creating and Sustaining a
Culture of Vibrancy

December 18, 2018

Transmitted herewith for your approval is legislation authorizing a lease amendment between the City and Jetty, LLC. (Craig Ristuccia, Principal, 36 Stutson St, 14612) dba The Jetty at the Port for the use of premises located at the Port Terminal Building, 1000 N. River Street, Suite 203 totaling 7,003 square feet.

The current lease authorized in March 2016 through Ordinance No. 2016-67 has a term of April 1, 2016 through March 31, 2021 with one 5 year extension. The monthly rental is currently \$5,835 (\$10 per square foot), which was established through an independent appraisal prepared by Kevin Bruckner, MAI of Bruckner, Tillett, Cahill & Rossi Inc. as of November 2015. Under the terms of the current agreement, the Jetty shall operate a minimum of 7 months (April 1st – October 31st) of each year with the option to close for 5 months (November 1st – March 31st) during which time no rent is charged.

The lease is being amended to allow up to three (3) optional 5 year extensions with monthly rental rates established by a new appraisal. The amended lease also adds the option (at the tenant's prerogative) to remain open during the 5 months commencing November 1st and pay a 50% reduced rental amount. These terms are consistent with the other restaurants in the building.

The tenant has made a significant capital expenditure in 2018 to renovate their interior and patio space, and the extended renewal terms allow for amortization of those costs over a longer period of time. The option to remain open during the winter months for reduced rent is to encourage establishments in the Port to remain open with limited hours during the off-season.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-196
Ordinance No. 2018-388
(Int. No. 427)

Authorizing an amendatory lease agreement for space in the Port Terminal Building

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

WHEREAS, the City of Rochester has received an amendatory proposal for the lease of 7,003 square feet of space in Suite 203 of 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 amendatory lease;

WHEREAS, the Council has previously formally reviewed the independent appraisal of the value of the lease prepared by Kevin Bruckner, MAI of Bruckner, Tillett, Cahill & Rossi Inc.;

WHEREAS, the Council affirmatively finds that the proposed amendatory lease authorized herein is in the public interest because it will allow for the continued operation of a casual restaurant at the Port Terminal

Building and Jetty LLC has made significant capital expenditures to renovate the restaurant’s interior and patio space; and

WHEREAS, the Council affirmatively finds that the term of such proposed amendatory lease, which is 5 years with three optional five-year renewal terms, 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 Jetty, LLC doing business as The Jetty at the Port (the “Jetty”) for use of 7,003 square feet of space in Suite 203 of the Port Terminal Building. The amendatory agreement shall allow up to three optional five-year renewal terms with monthly rental rates established by subsequent independent appraisal.

Section 2. The amendatory agreement shall provide that the Jetty shall operate a minimum of seven months from April 1st to October 31st with the option to close for five months from November 1st to March 31st during which time no rent shall be charged or the Jetty may elect to remain open from November 1st to March 31st and pay a 50% reduced monthly rental.

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. 2018-389
Re: Grant Agreement – Enterprise – Cities
for Responsible Investment and
Strategic Enforcement (RISE), Phase II

Council Priority: Rebuilding and Strengthening
Neighborhood Housing; Creating and
Sustaining a Culture of Vibrancy; Public Safety

Transmitted herewith for your approval is legislation relating to Phase II of the New York State Attorney General’s Cities RISE program. Phase I of the RISE program, authorized by Ord. No. 2017-225, granted the City access to the BuildingBlocks software, which integrates a variety of data sets related to the various activities associated with vacant and/or potentially problem properties.

This legislation will authorize the receipt and use of a \$50,000 grant to offset the cost of a staff person who will be the NBD lead on the Land Management project and ultimately develop the application ask for Phase III of

December 18, 2018

the Cities RISE program. This grant is the result of Settlement Agreements between financial institutions and the New York State Attorney General.

This legislation will also authorize a Grant Agreement with Enterprise Community Partners, Inc. (Laurel Blatchford, Acting CEO) to provide the following:

- a) Continuing technological and capacity building support through their consultant, Tolemi, CEO Andrew Kieve, for the identification and implementation of additional data sets into the BuildingBlocks platform;
- b) Learning, Experimentation and Change Management training through Harvard University and Hester Street; and
- c) Civic Engagement support through Hester Street to determine what code enforcement system and process enhancements the community would like to see.

The grant is being made as part of the funding activities that support Housing Quality Improvement and Enforcement Programs. This agreement will be in effect for a period of two years, from December 2018 – December 2020.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-389
(Int. No. 428)

Authorizing agreements to support housing quality improvement and enforcement relating to Phase II of the Cities for Responsible Investment and Strategic Enforcement 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 New York State Office of the Attorney General (“OAG”) for the receipt and use of a grant in the amount of \$50,000 to implement Phase II of the OAG’s Cities for Responsible Investment and Strategic Enforcement (“RISE”) program. The agreement shall have a term of two years.

Section 2. The Mayor is hereby authorized to enter into a grant agreement with Enterprise Community Partners, Inc. to provide continuing technological and capacity building support and training for implementing and enhancing the BuildingBlocks data platform and the City’s engagement with the public on how to address vacant and potentially problem properties. This agreement shall have a term of two 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.

December 18, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-390
Re: Amendatory Agreements with Action
for a Better Community, Inc. and
PathStone Corporation

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the continuation of application intake services for the City's housing repair programs. This legislation will:

- 1) Appropriate \$65,744 from the Housing Repair Programs-Application Intake Services allocation of the 2018-2019 Consolidated Community Development Plan;
- 2) Amend an agreement with PathStone Corporation, Stuart J. Mitchell, President & CEO, 400 East Avenue, Rochester, NY 14607. The amendatory agreement increases the maximum compensation by \$34,656 for a new total of \$136,338, to be funded from the allocation listed in Section 1, and will extend the term for an additional 7 months, expiring on June 30, 2019; and
- 3) Amend an agreement with Action for a Better Community, Inc., Jerome H. Underwood, President & CEO, 400 West Avenue, Rochester, NY 14611. The amendatory agreement increases the maximum compensation by \$31,088 for a new total of \$122,230, to be funded from the allocation listed in Section 1, and will extend the term of the agreement for an additional 7 months, expiring on June 30, 2019.

PathStone Corporation and Action for a Better Community, Inc. have been providing application intake services for the City's housing repair programs since 2015. Both organizations have performed to the City's satisfaction. We are proposing to extend the agreements for 7 months in order to align the new agreements with the City's fiscal year.

The last request for proposal for these services was issued in September of 2016. The City will issue a new RFP for these services in the spring of 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-390
(Int. No. 429)

Authorizing appropriations and amendatory agreement for application intake services for the City's housing repair programs

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

Section 1. The Council hereby appropriates \$65,744 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.

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 to a total amount of \$136,338, 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 to a total amount of \$122,230, 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 4. The amendatory agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes –President Scott, Councilmember Clifford, Evans, Lightfoot, McFadden, Ortiz, Patterson, Spaul – 8.

Nays – None - 0.

Councilmember Gruber abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-391
Re: Funding Award - the NYS Affordable
Housing Corporation

December 18, 2018

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the City's application to the New York State Affordable Housing Corporation (NYS AHC). This legislation will:

- 1) Accept \$1,000,000 from the NYS AHC for the City's use to operate the City's housing repair programs;
- 2) Authorize an agreement with NYS AHC for the receipt and use of these funds; and
- 3) Appropriate \$1,000,000 listed in Section 1 for the City's use to operate the program.

The program will offer financial assistance to eligible property owners for home improvement activities. Eligible property owners are owner-occupants that own a single-family residential property located in the project target areas. The household income of applicants cannot exceed 80% of the area median income as established by HUD. Property owners must be current with City of Rochester and County of Monroe property taxes and must also be current with mortgage payments (if applicable).

The City will match these funds with \$1 million of CDBG dollars approved by Ordinance No. 2018-232, and HUD Lead Hazard Control dollars approved by Ord. No. 2017-296. The program 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 per the Housing Market Study, and to mitigate blight and hazards citywide. Typical work activities will include, but not be limited to: roof replacement, lead hazard control, minor electrical and plumbing work, and the correction of health and safety hazards.

Grant amounts are anticipated to average \$30,000 per property to be secured with a 5-year note and mortgage. With this additional funding we estimate that a total of 83 property owners will be served.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-391
(Int. No. 430, as amended)

Authorizing receipt and use of grant funds and agreements for housing repair 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 Affordable Housing Corporation ("~~NYS AFC~~ AHC") for receipt and use of \$1,000,000 to operate the City's housing repair programs, and that amount is hereby appropriated to said programs. The Mayor is hereby

authorized to execute such other agreements and documents as may be necessary to effectuate the purposes of the NYS AHC agreement.

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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-392
Re: Brownfield Cleanup Revolving Loan
Fund

Council Priority – Jobs & Economic
Development

Transmitted herewith for your approval is legislation related to the City’s Brownfield Cleanup Revolving Loan Fund (RLF). This legislation will authorize receipt and use of \$500,000 in additional United States Environmental Protection Agency (USEPA) grant funds and authorize the Mayor to enter into agreements as necessary for operation of the RLF.

In April 2018 the City applied for supplemental RLF grant funding from the USEPA, and in September 2018 the USEPA approved a \$500,000 grant award. The City has previously secured \$1,030,661 in RLF grant funding from the USEPA. Under the City’s guidelines for the Revolving Loan Fund, financial resources are provided to businesses and real estate developers to cleanup brownfield sites as part of economic development expansion projects. Priority for funding is based on the extent to which the project meets the city’s overall economic development goals for job creation and retention, results in an increase in the tax base, and adds to the inventory of land available for commercial/industrial development. The RLF can also be used to support cleanup of former industrial sites for multi-family housing reuses.

Previously the City’s RLF has been used for the following projects:

Project Name	Amount/Type
1) Germanow-Simon	\$226,000 loan
2) 1025 Chili Avenue LLC	\$111,000 loan
3) Michelsen Mills	\$115,000 loan
4) College Town	\$163,000 sub-grant
5) Former Staub’s Cleaners	\$400,000 loan

RLF funds may be used for cleanup actions associated with removing, mitigating or preventing release of a hazardous substance or contaminant, including capping and removal of contaminated soils, drums, barrels, tanks or other containers of hazardous substances and containment or treatment of hazardous materials. The RLF provides funding for asbestos abatement and controlled demolition.

December 18, 2018

After the City receives loan application documentation, the USEPA reviews the borrower's site information and determines site and borrower eligibility for the program. Cleanup work completed under the RLF must conform to New York State Department of Environmental Conservation (NYSDEC) or the New York State Department of Labor (NYSDEL) cleanup requirements. Loan recipients are required to enter into an appropriate brownfields cleanup agreement, stipulation agreement, or consent order with NYSDEC for any cleanup work that is RLF funded other than asbestos abatement and controlled demolition which are regulated by the NYSDEL.

The USEPA grant requires a 20% cost share, which will be funded with \$100,000 in CDBG, REDCO, in-kind services and loan closing costs.

The Department of Environmental Services (DES) and the Neighborhood and Business Development Department (NBD) jointly market and manage the fund. DES is responsible for reviewing eligibility under the USEPA requirements and applicable environmental law, reviewing the Analysis of Brownfield Cleanup Alternatives (ABCA) prepared by the loan applicant prior to selection of the remedy, and issuing a Decision Memorandum documenting the approved remedy. The loan applicant is responsible for publicizing the ABCA and making it available for public review. Neighborhood and Business Development is responsible for analyzing the public benefits of the proposed project, financial feasibility analysis and underwriting, issuing RLF loan commitments, and the disbursement of loan funds.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-392
(Int. No. 431)

Authorizing receipt and use of grant funds and agreements for the Brownfield Cleanup Revolving Loan Fund 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 Environmental Protection Agency (USEPA) for receipt and use of \$500,000 in grant funds from the Brownfield Revolving Loan Fund to finance the City's Brownfield Cleanup Revolving Loan Fund Program (Program), and that amount is hereby appropriated to the Program. The Mayor is hereby authorized to execute such other agreements and documents as may be necessary to effectuate the Program authorized herein.

Section 2. The agreements 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. 2018-393

December 18, 2018

Re: St. Bernard's I & II Affordable Senior
Rental – Assumption of Loans and
Payment In Lieu of Taxes Agreement

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation related to the existing St. Bernard's I & II affordable senior rental project (St. Bernard's) located at 2260 and 2280 Lake Avenue, which is being acquired by CB-Emmanuel Realty, LLC (Benathan Upshaw and R. Christopher Bramwell Jr, Principals; located in Queens Village, New York) or a new entity to be formed, in anticipation of the refinance and redevelopment of the project. This legislation will:

- 1) Authorize the assumption of two existing delinquent HOME-funded loans, one for each phase of the project; with current outstanding balances of \$680,000 (St Bernard's Associates, L.P. as borrower for St. Bernard's I) and \$200,000 (St. Bernard's II Associates, L.P. as borrower for St Bernard's II);
- 2) Authorize acceptance of payments totaling \$288,800 to partially reduce, by \$280,000, principal balances of the existing loans, and pay outstanding interest due in the amount of \$8,800;
- 3) Authorize Abeyance Agreements for each of the two loans, which will delay the City from exercising default remedies for a three year period so long as CB-Emmanuel Realty, LLC, or a new entity to be formed, secures funding necessary to refinance and rehabilitate the project and makes the \$288,800 payment to the City listed above;
- 4) Authorize property tax exemptions and a payment-in-lieu of taxes agreement for the St. Bernard's Project, which will provide a three (3) year exemption for an annual in-lieu payments equal to 10% of the project shelter rents (gross rents minus utility costs).

St. Bernard's Phases I and II (St. Bernard's) Senior Affordable Housing Development has provided affordable housing since 1998 and 2002, respectively, while being managed as one rental community of 147 apartments. CB-Emmanuel Realty, LLC (CB-Emmanuel) proposes to acquire the properties, along with existing delinquent debt that includes two loans from the City of Rochester, with the intent to refinance and rehabilitate the project within the next year, and to continue to provide affordable rental housing for seniors for the long term. Other holders of delinquent debt, including Community Preservation Corporation (CPC), New York State Homes and Community Renewal, and Unity Health Systems, are all in agreement that assumption at this time of the existing debt is warranted to maintain this affordable senior housing project.

St. Bernard's was originally constructed in the 19th century as a seminary and converted into a mixed-use senior complex over two phases using tax credits, conventional debt from CPC, and soft financing provided by the City and State. The City's contribution was one-million dollars, which was contributed to each phase separately with Ordinance No. 95-324 for \$800,000 and

Ordinance No. 99-152 for \$200,000; and amended by Ordinance No. 2013-404. To date the project has paid \$120,000 towards the principal loan and there is \$8,800 in outstanding interest

The proposed payment of \$280,000 to the City of Rochester will reduce the outstanding loan principal balances to \$463,636 for St. Bernard's I and to \$136,364 for St. Bernard's II, resulting in combined remaining balance of \$600,000 owed to the City of Rochester. CB-Emmanuel, as borrower, would pay 1% interest annually on these outstanding loan balances until such time as they refinance the project. The City's existing loans would be repaid at refinance. However, it is anticipated that a new City loan of \$600,000 will be required to keep the units affordable. A request for authorization of a future loan would be submitted at such time as full funding commitments to proceed have been received.

December 18, 2018

The requested abeyance agreements will allow CB-Emmanuel to acquire the properties and related debt as they pursue funding sources sufficient to undertake the St. Bernard's project, while ensuring that the City of Rochester maintains its rights to exercise default remedies, should that become necessary. CB-Emmanuel's plans for St. Bernard's include renovations to the residential units, updated amenities and the new construction of an additional 14 rental units. The project is being refined and final details will be provided to the City of Rochester in advance of the project's refinancing.

The proposed payment-in-lieu-of-tax (PILOT) agreement is for three years and will allow the new owner of the project, CB-Emmanuel Realty, LLC, to secure approvals to refinance and rehabilitate the affordable senior rental project. A previous PILOT agreement for this project expired in 2017. A new PILOT, coterminous with the new financing, will be negotiated at the time the new financing is approved. The property taxes have been at full assessment and current since the 2017-18 fiscal year; however, full assessment of property taxes presents a financial burden to the project.

The project will continue the affordability requirements of this senior project. The PILOT was presented and approved by both the PILOT and Loan Review committees on December 6, 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-197

Ordinance No. 2018-393
(Int. No. 432)

Authorizing the assumption of debt, amending of loan agreements and payments in lieu of taxes for the St. Bernard's affordable senior rental development

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

Section 1. The Council hereby authorizes the assumption of the following outstanding debts of the Phase I and Phase II developers of the St. Bernard's affordable senior rental development (the "Project") by CB-Emmanuel Realty, LLC or a new entity to be formed by the principals thereof (collectively, the "Redeveloper"):

- a. the outstanding principal and interest of the loan to St. Bernard's Associates, L.P. for Phase I of the Project in the amount of \$800,000 as authorized by Ordinance Number 95-324 and as amended by Ordinance No. 2013-405 ("Phase I Loan"); and
- b. the outstanding principal and interest of the loan to St. Bernard's II Associates, L.P. for Phase II of the Project in the amount of \$200,000 as authorized by Ordinance Number 99-152 ("Phase II Loan").

provided that the Redeveloper makes an initial payment of \$288,800 to the City to reduce the outstanding principal and interest balances of the two loans, acquires the Project properties and commits to refinance and

rehabilitate the Project so that it continues to provide affordable rental housing for seniors. The Redeveloper shall pay interest on both loans at the annual rate of 1% until such time as the Project is refinanced.

Section 2. The Mayor is hereby authorized to enter into abeyance agreements for each of the Phase I and Phase II loan agreements and for the Redeveloper's assumption thereof, under which the City will refrain from exercising its default remedies for up to three years provided that the Redeveloper makes the initial \$288,800 payment provided for in Section 1 hereof and for so long as the Redeveloper diligently seeks the funding necessary to refinance and rehabilitate the Project.

Section 3. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT agreement) for the Project with St. Bernard's Associates, L.P., St. Bernard's II Associates, L.P., the Redeveloper, and/or an affiliated partnership or housing development fund corporation formed for the Project. The PILOT agreement shall provide that the Project will be entitled to a real property tax exemption for up to 3 years, provided that the Project remains in use as affordable senior rental housing and provided that there are annual payments in lieu of taxes are made 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 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 documents as may be necessary to effectuate the agreements authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-394

Re: Agreement Amendment – Fisher
Associates Bull's Head Revitalization
Project

Council Priorities: Rebuilding and
Strengthening Neighborhood Housing; Jobs
and Economic Development

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.), to complete additional services related to the Bull's Head Revitalization Project (Project).

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). The Agreement was

December 18, 2018

executed in May 2016. This amendment will add \$105,000 in funding for additional consultant services necessary to advance the Project, for a total of \$348,745.

As portions of the Bull's Head BOA-funded planning process have been completed, certain areas of focus were identified which require additional work to be completed outside of the original scope of work of the Agreement. The additional work identified includes:

- 1) Additional Planning for the Bull's Head Urban Renewal Plan;
- 2) Traffic Analysis for the Bull's Head neighborhood; and
- 3) Environmental Review under the State Environmental Review Quality Act (SEQR) for the Bull's Head Urban Renewal District and BOA.

The additional work will be funded by \$5,000 2016-17 Cash Capital and \$100,000 2018-19 Cash Capital. The three-year term of the Agreement, which includes an option to extend for an additional term of one year, will remain the same.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-394
(Int. No. 433)

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 provide additional planning services related to the Bull's Head Revitalization Project. The amendments shall increase the maximum compensation for the existing agreement authorized by Ordinance No. 2015-324 by \$105,000 to a total amount of \$348,745. The amendatory agreement amount shall be funded in the amounts of \$5,000 from 2016-17 Cash Capital and \$100,000 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 unanimously.

December 18, 2018

TO THE COUNCIL:
Ladies and Gentlemen:

Resolution No. 2018-26
Re: Appointments/Re-appointments - City
Planning Commission

Transmitted herewith for your approval is legislation confirming the appointment of one new member to the City Planning Commission and the re-appointment of three current members and two alternates. The current terms expired on May 31, 2018; therefore, the new, two-year terms will expire on May 31, 2020.

Appointment of New Member:

<u>Name</u>	<u>Address</u>
Bradley J. Flower	10.5 Eagle Street, 14608 (SOUTH)

Re-appointment of Current Members:

<u>Name</u>	<u>Address</u>
David Watson	234 Aldine Street, 14619 (SOUTH)
Eugenio Marlin	25 Riverside Street, 14613 (NW)
Milton Pichardo	188 Ernst Street, 14621 (NE)

Re-appointment of Current Alternates:

<u>Name</u>	<u>Address</u>
Steven V. Rebholz	92 Westchester Avenue, 14609 (EAST)
Richard Mauser	91 Pinnacle Road, 14620 (EAST)

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

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2018-26
(Int. No. 434)

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 person as a regular member for a term that shall expire May 31, 2018:

<u>Name</u>	<u>Address (City Council District)</u>
Bradley J. Flower	10.5 Eagle Street, 14608 (SOUTH)

December 18, 2018

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, 2020:

<u>Name</u>	<u>Address (City Council District)</u>
David Watson	234 Aldine Street, 14619 (SOUTH)
Eugenio Marlin	25 Riverside Street, 14613 (NW)
Milton Pichardo	188 Ernst Street, 14621 (NE)

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, 2020:

<u>Name</u>	<u>Address (City Council District)</u>
Steven V. Rebholz	92 Westchester Avenue, 14609 (EAST)
Richard Mauser	91 Pinnacle Road, 14620 (EAST)

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Local Law No. 1
 Re: Reauthorization of the Residential
 Commercial Urban Exemption
 Program

Council Priority: Creating and Sustaining a Culture of Vibrancy – Revitalize Downtown

Transmitted herewith for your approval is legislation reauthorizing the Residential Commercial Urban Exemption Program (CUE) under RPTL 485-a. CUE was originally authorized by City Council in March 2003 by Local Law No. 3, under New York State Real Property Tax Law. The program allows cities with populations of between 50,000 and 1,000,000 to provide tax exemptions for certain classes of mixed-use properties. Since 2003 CUE has been re-authorized four times with the last one being in December 2015 under Local Law No. 1 of 2016.

The objective of the program is to facilitate the conversion of underutilized office, retail, manufacturing, and warehouse buildings to promote downtown residential use. Under CUE, a non-residential property, upon conversion to mixed-use (residential-commercial), can be partially exempted from taxation and special ad valorem levies for a period of twelve years. The exemption is applied only to the increase in assessed value attributable to the conversion to mixed-use.

In years 1-8, the exemption applies to 100% of the increase in assessment attributable to the conversion to mixed-use; in the years that follow, the exemption is reduced by 20% each year, with full taxation applying in year 13 and beyond. CUE is restricted to mixed-use conversion projects located in the Center City District. To qualify for the exemption, property owners must invest at least \$250,000 in converting the property, and provide a minimum of 25% of the total developed space for use as rental housing.

December 18, 2018

Since its inception, 23 property owners have qualified for the CUE Program; five of which have expired and are now fully taxable. There are four applications pending with the renovations either proposed or currently in progress. The 23 projects that are currently or formerly enrolled have resulted in an investment of approximately \$69 Million and the creation of 375 market-rate and affordable housing units in the Center City. The value of these properties has increased by more than \$30 million. The four proposed or pending projects will create an additional 219 dwelling units at an estimated cost of \$32 million.

The current authorization for CUE expires in December 2018. If authorized, the extension will expire in December 2021.

Respectfully submitted,
Lovely A. Warren
Mayor
Attachment AR-198

Local Law No. 1
(Int. No. 456)

Local Law extending the Residential-Commercial Urban Exemption Program

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

Section 1. Section 6-71.7 of the Charter of the City of Rochester, Residential-Commercial Urban Exemption Program, shall remain in effect for the 2019, 2020 and 2021 assessment rolls. Any property that is granted an exemption on one of those rolls shall remain eligible for the additional years of exemption on that property, provided the property continues to meet the requirements of New York State Real Property Tax Law Section 485-a.

Section 2. This local law shall take effect immediately.

Passed by the following vote:

Ayes –President Scott, Councilmember Evans, Gruber, Lightfoot, McFadden, Ortiz, Patterson, Spaul – 8.

Nays – Councilmember Clifford -1.

By Councilmember Evans
December 18, 2018

To the Council:

December 18, 2018

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

- Int. No. 435 Authorizing an amendatory agreement with C & S Engineers, Inc. for the 2018 Preventive Maintenance Group No. 2 Project
- Int. No. 436 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$592,000 Bonds of said City to finance certain costs of the 2019 Annual Parking Garage Evaluation and Repair Program
- Int. No. 437 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$840,000 Bonds of said City to finance certain costs of the 2019 Annual Parking Garage Evaluation and Repair Program – South Avenue Garage
- Int. No. 438 Authorizing agreements for street light system improvements
- Int. No. 439 Authorizing appropriation and amendatory agreement for design services for the East Henrietta Road Improvement Project (South City Line to Stan Yale Drive)
- Int. No. 440 Amending Ordinance No. 2017-143 authorizing an agreement to allow the placement of cellular wireless communications equipment on City-owned street light poles
- Int. No. 441 Authorizing an agreement extension with the New York State Department of Transportation for snow and ice control
- Int. No. 442 Authorizing an agreement for the Arconic Foundation Grant
- Int. No. 443 Authorizing receipt and use of grant funds and authorizing agreements for the Brownfield Opportunity Area Site Assessment Program
- Int. No. 444 Authorizing receipt and use of Brownfield Cleanup grant funds for 121-123 Reynolds Street
- Int. No. 445 Authorizing agreements for services related to hazardous materials management
- Int. No. 446 Authorizing an agreement for energy program support services
- Int. No. 447 Authorizing an agreement for hydraulic model support services
- Int. No. 448 Authorizing an agreement for the management of the Blue Cross Arena at the War Memorial and the Court Street Parking Lot and amending user fees

Respectfully submitted,
Malik Evans
Mitch Gruber

December 18, 2018

Elaine M. Spaul
Adam C. McFadden
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-395
Re: Amendatory Agreement – C&S
Engineers, Inc., 2018 Preventive
Maintenance Group 2 Project

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with C&S Engineers, Inc. (John Trimble, President & CEO), Rochester, NY for additional design services for this project. The original agreement for \$289,302 was authorized in January 2017 (Ordinance No. 2017-10). This amendment will increase maximum compensation by \$10,550 to a total of \$299,852. The term of the agreement is three (3) months after the two-year guarantee inspection that follows the completion and acceptance of the construction of the Project. The cost of the additional funds will be financed from 2016-17 Water Cash Capital.

Street improvements will include milling and resurfacing of the above streets, including repair of the existing pavement base where needed, adjustment or replacement of existing catch basin frames and grates and manhole frames and covers, adjustment of water valve and sewer castings, resetting or installing new granite curbs as needed, replacement of hazardous sidewalks, alteration or replacement of sidewalk curb ramps to bring into ADA compliance, installation of pavement markings, replacement of traffic loops, full restoration of all lawn areas affected by the project. 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.

C&S Engineers, Inc. will add the replacement of 66 lead water services on Alexander Street and 5 lead water services on Scio Street into the contract drawings and contract book as an add alternate.

It is anticipated that construction will begin in spring of 2019 with scheduled completion in fall of 2019. The project will result in the creation and/or retention of the equivalent of 31.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor
Attachment No. AR-199

Ordinance No. 2018-395
(Int. No. 435)

December 18, 2018

Authorizing an amendatory agreement with C & S Engineers, Inc. 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 Mayor is hereby authorized to enter into an amendatory professional services agreement with C & S Engineers, Inc. for additional design services for the 2018 Preventive Maintenance Group No. 2 Project. The amendment shall increase the maximum compensation of the original agreement, which was authorized by Ordinance No. 2017-10, by \$10,550 to a total amount of \$299,852. The amendatory compensation amount shall be funded 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. 2018-396
Re: 2019 Annual Parking Garage Evaluation
and Repair Program

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$592,000, and the appropriation of the proceeds thereof, to finance a portion of the cost of the 2019 Annual Parking Garage Evaluation and Repair Program.

Construction work for the 2019 Garage Repair Program includes concrete and structural steel repairs; deck waterproofing and sealing; expansion joint repairs; masonry repairs; mechanical, electrical and plumbing system repairs. The 2019 garage program consists of work at the following City-owned parking garages: Court Street, East End, High Falls, Sister Cities and Washington Square. This reflects separate funding for repairs of South Avenue Garage.

The estimated total cost of the project including contingency, design and resident project representation (RPR) services is \$1,247,000 and will be funded as follows:

Estimate:	2018-19 Bonds issued herein (Parking debt)	2018-19 Parking Cash Capital:	Total:
Design/RPR services:	\$ 0	\$200,000	\$ 200,000
Construction:	592,000	455,000	1,047,000
Total:	\$592,000	\$655,000	\$ 1,247,000

The construction contract for the program is scheduled to be bid and awarded in winter 2018-19, with construction beginning in spring 2019 and completion anticipated in spring 2020. It is estimated that the program will create and/or retain 13.6 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2018-396
 (Int. No. 436)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$592,000 Bonds of said City to finance certain costs of the 2019 Annual Parking Garage Evaluation and Repair 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 2019 Annual Parking Garage Evaluation and Repair Program. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,247,000. The plan of financing includes the issuance of \$592,000 bonds of the City to finance this appropriation, \$655,000 of 2018-19 parking 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 \$592,000 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 \$592,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

December 18, 2018

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:

Ordinance No. 2018-397
Re: 2019 Annual Parking Garage Evaluation
and Repair Program - South Avenue
Garage Repairs

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$840,000, and the appropriation of the proceeds thereof, to finance a portion of the cost of the 2019 Annual Parking Garage Evaluation and Repair Program - South Avenue Garage Repairs.

Construction work for the project includes concrete and structural steel repairs; deck waterproofing and sealing; expansion joint repairs; mechanical, electrical and plumbing system repairs. The estimated total cost of the project, including contingency, design and resident project representation (RPR) services is \$2,813,000 and will be funded as follows:

Estimate:	2018-19 Bonds issued herein (Parking debt)	2018-19 Parking Cash Capital:	Total:
Design/RPR services:	\$ 0	\$ 480,000	\$ 480,000
Construction:	840,000	1,493,000	2,333,000
Total:	\$840,000	\$1,973,000	\$ 2,813,000

The construction contracts for the project are scheduled to be bid and awarded in winter 2018-19, with construction beginning in spring 2019 and completion anticipated in spring 2020. It is estimated that the project will create and/or retain 30.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-397
(Int. No. 437)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$840,000 Bonds of said City to finance certain costs of the 2019 Annual Parking Garage Evaluation and Repair Program – South Avenue Garage

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 Annual Parking Garage Evaluation and Repair Program – South Avenue Garage. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,813,000. The plan of financing includes the issuance of \$840,000 bonds of the City to finance this appropriation, \$1,973,000 of 2018-19 parking 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 \$840,000 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 \$840,000. 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:

December 18, 2018

(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. 2018-398
Re: Mt. Read Blvd. Rehabilitation –
NYSDOT Project Street Light System
Improvements

Transmitted herewith for your approval is legislation related to a New York State Department of Transportation (NYSDOT) project for rehabilitating Mt. Read Blvd. from Buffalo Road to Lyell Avenue. This legislation will authorize the Mayor to enter into agreements with the NYSDOT to incorporate the construction and the City's ongoing maintenance of new street lights and appurtenances within the limits of the project.

The NYSDOT is rehabilitating Mt. Read Blvd. from Buffalo Road. (Rte. 33) to Lyell Avenue (Rte. 31) in the City of Rochester. Section 10, Subdivision 24 of the New York State Highway Law provides, in part, that the Commissioner of Transportation shall have the power to provide at the expense of the State, for adjustment to a municipally owned utility when such work is necessary as a result of State highway work.

Construction will be performed by the NYSDOT's contractor and is expected to take place during the 2019 construction season. The term of this agreement is for 6 months after the acceptance and completion of the project. Inspection and RPR will be provided by the NYSDOT.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-398
(Int. No. 438)

Authorizing agreements for street light system 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 New York State Department of Transportation (NYSDOT) to incorporate construction of new street lights and appurtenances within the limits of NYSDOT's project rehabilitating Mt. Read Blvd. from Buffalo Road to Lyell Avenue. The term of the agreement shall continue to six months after the acceptance and completion of the project.

Section 2. The Mayor is hereby authorized to enter into an agreement with NYSDOT for the City's ongoing maintenance of the street lights and appurtenances that are adjusted and maintained pursuant to the authorization in Section 1 herein.

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. 2018-399
Re: East Henrietta Road Improvement
Project (South City Line to Stan
Yale Drive)

Transmitted herewith for your approval is legislation related to the East Henrietta Road Improvement Project from the South City Line to Stan Yale Drive. This legislation will:

1. Appropriate \$125,000 in anticipated reimbursements from Rochester Pure Waters District to finance additional design work for the project; and
2. Authorizing an amendatory agreement with Stantec Consulting Services, Inc. (Gord Johnston, President & Chief Executive Officer), Rochester, NY to provide additional services required to complete design of the project. The original agreement for \$250,000 was authorized in April 2016 (Ordinance No. 2016-113). This amendment will increase maximum compensation by \$125,000 to a total of \$375,000. The additional cost will be funded by Rochester Pure Waters District as appropriated in section 1.

The amendatory agreement will fund revisions to the design report environmental review; provide additional design and permitting required for a new stormwater outfall structure to the NYS Canal; revisions to plans and specifications, bid items and quantities; rebidding and bid analysis.

Construction is anticipated to begin in spring 2019, with completion in fall 2019.

December 18, 2018

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-200

Ordinance No. 2018-399
(Int. No. 439)

Authorizing appropriation and amendatory agreement for design services for 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 receipt and use of the sum of \$125,000 in anticipated reimbursements from the Rochester Pure Waters District that are provided pursuant to the agreement authorized by Ordinance No. 2010-438 is hereby authorized and appropriated to fund eligible portions of sewer costs incurred as part of the East Henrietta Road Improvements Project (South City Line to Stan Yale Drive), hereinafter, the "Project."

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with Stantec Consulting Services Inc. to provide additional services to complete the Project design. The amendments shall increase the maximum compensation of the existing agreement authorized by Ordinance No. 2016-113 by \$125,000 to a total amount of \$375,000. The amendatory agreement amount shall be funded from the appropriation in Section 1 above.

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. 2018-400
Re: Amend Ordinance 2017-143 –
Mobilitie, LLC

Transmitted herewith for your approval is legislation amending the ordinance which authorized an agreement with Mobilitie, LLC (Mobilitie), a Nevada limited liability company which maintains its principal place of business at 660 Newport Center Drive, Suite 200, Newport Beach, California, (Christos Karmis, President/CEO) to allow for additional locations that are granted a permit from the Department of

December 18, 2018

Environmental Services for this project. The original ordinance allowed 40 locations. This amendment permits any additional locations with a permit. All other terms and conditions remain the same.

The project allows Mobilitie to place small cell equipment on street light poles in the public right of way in the City of Rochester for an annual fee. Mobilitie is a leading provider of telecommunications facilities and equipment that provides a distributed network infrastructure to the wireless industry. Mobilitie maintains a Certificate of Public Convenience and Necessity from the Public Service Commission to operate in New York State as a facilities-based provider.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-201

Ordinance No. 2018-400
(Int. No. 440)

Amending Ordinance No. 2017-143 authorizing an agreement to allow the placement of cellular wireless communications equipment on City-owned street light poles

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

Section 1. Ordinance No. 2017-143, authorizing an agreement with Mobilitie, LLC to allow the placement of small cellular wireless communications equipment, is hereby amended in Section 1 to read in its entirety as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Mobilitie, LLC to allow the company to place small cellular wireless communications equipment (Equipment) on ~~approximately 15~~ City-owned street light poles at locations approved in a permit issued by the Department of Environmental Services for an annual fee. ~~The agreement shall involve the placement of Equipment on up to 15 light poles initially and may be extended to up to 25 additional poles if approved by the City Engineer. and~~ The agreement shall be subject to the following terms and conditions.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

December 18, 2018

Ordinance No. 2018-401
Re: Agreement – NYS Snow & Ice Control
Services

Transmitted herewith for your approval is legislation authorizing a one-year extension of an existing 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 City has provided these services since 1978 pursuant to periodic agreements. The most recent agreement was authorized by City Council in January 2018 (Ordinance No. 2018-16). This legislation will extend the agreement to June 30, 2021, as required by the NYSDOT. The requirement for an agreement for snow 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 State will reimburse the City \$75,044.48 for snow and ice control performed during the 2018-19 winter season, which is \$1,724.24 more than the prior year.

Respectfully submitted,
Lovely A. Warren
Mayor

Authorizing an agreement extension 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 extend an agreement with the New York State Department of Transportation 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.

Section 2. The extended agreement shall continue until June 30, 2021, and shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. The State shall reimburse, and the City shall accept, \$75,044.48 as compensation under the agreement for snow and ice control during the 2018-19 winter season.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.
TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-402

December 18, 2018

Re: Agreement – Arconic Foundation Grant

Council Priorities: Safer and More Vibrant
Neighborhoods, Innovation and Efficiency

Transmitted herewith for your approval is legislation authorizing an agreement with the Arconic Foundation, the charitable arm of Arconic, Inc (formerly Aloca), with headquarters located at 1 Corporate Drive, Kingston, NY. The grant was extended to the City by invitation from Robin Hurtt, Human Resources Manager at the local Arconic office at 181 McKee Road, Rochester, NY. The grant will reimburse the City in the amount of \$10,000 for its efforts in promoting a culture of community volunteerism through its hosting of the annual Clean Sweep event.

The Arconic Foundation is an independently endowed foundation with assets of approximately \$320 million. The primary goal of the Arconic Foundation is to advance science, technology, engineering and math (STEM) education and training worldwide, with a special emphasis on engaging and creating access for underrepresented and underserved groups. The Arconic Foundation seeks partners who share its values of inclusion and diversity, respect for the individual, integrity, and a relentless focus on innovation and excellence.

This is a special one-time unrestricted grant which was offered to the City on November 2, 2018 as a result of the participation of employees of the Arconic Company in the City's 2018 Clean Sweep event and the positive experience they enjoyed. The City will use the grant proceeds to promote community involvement for the annual Clean Sweep event, including local sponsorship of community gardens and participation in anti-littering campaigns.

Ordinance No. 2018-402
(Int. No. 442)

Respectfully submitted,
Lovely A. Warren
Mayor

Authorizing an agreement for the Arconic Foundation 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 Arconic Foundation, the charitable arm of Arconic Inc. for the receipt and use of a \$10,000 unrestricted grant which will be used to promote community involvement for the annual Clean Sweep event.

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. 2018-403
Re: Appropriation of EPA Grant Funds for
Brownfield Assessments
Council Priorities: Deficit Reduction & Long-
Term Financial Stability; Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation which will authorize the receipt and use of funds and appropriate \$200,000 of United States Environmental Protection Agency (USEPA) Brownfield Site Assessment Program grant funds awarded to the City for the purpose of financing environmental assessments located in four existing Brownfield Opportunity Areas (BOAs) in the City.

The BOA Site Assessment Program (BOA SAP) will provide funding for environmental site assessments for priority and strategic sites identified through the community-based BOA planning process. Four BOAs have been established in the City's Northeast, Northwest and Southwest quadrants, including: the 14621 BOA and the Bull's Head BOA, the Lyell, Lake and State Street (LYLAKS) BOA, and the Vacuum Oil-South River Corridor BOA.

The four BOA areas total 1,867 acres and include 425 brownfield properties. Under this program, consultants will complete Phase I Environmental Site Assessments, Phase II ESAs, soil vapor intrusion assessments, prepare environmental management plans, health and safety plans, and develop remedial cost estimates. Specific assessment activities will be based on project needs and site conditions. The grant funded assessments are an important first step in the process leading to the cleanup and the productive reuse of brownfield sites within the BOA's. No City match is required for assessments completed under this program.

A Request for Proposal will be developed and issued in spring 2019 for environmental consulting services to conduct the BOA SAP assessments. City Council authorization will be obtained to enter into new Professional Services Agreements with several recommended environmental consultants to implement the BOA SAP. The BOA SAP is anticipated to be initiated in the summer of 2019 and take approximately three years to complete.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-202

Ordinance No. 2018-403
(Int. No. 443)

December 18, 2018

Authorizing receipt and use of grant funds and authorizing agreements for the Brownfield Opportunity Area Site Assessment 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 Environmental Protection Agency for receipt and use of \$200,000 to implement the Brownfield Opportunity Area Site Assessment Program, and said amount is hereby appropriated for that purpose. The Mayor is hereby authorized to execute such other agreements and documents as may be necessary to effectuate the Program authorized herein.

Section 2. The agreements 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. 2018-404
Re: Appropriate EPA grant funds for the
121-123 Reynolds Street Brownfield
Cleanup Project

Council Priorities: Deficit Reduction and Long-Term Financial Stability, Rebuilding & Strengthening Neighborhood Housing and Jobs and Economic Development

Transmitted herewith for your approval is legislation related to environmental cleanup at 121-123 Reynolds Street ("Site") in the City of Rochester. This legislation will authorize the receipt and use of funds and appropriate \$200,000 of United States Environmental Protection Agency (USEPA) Brownfield Cleanup grant funds awarded to the City for the purpose of financing a portion of the cleanup of the Site.

The Site is located in R-1 zone for low density residential, and the Site is currently classified vacant residential land (use code 311). The City acquired the 121-123 Reynolds Street parcel in 2010 through tax foreclosure. The Site was formerly two separate parcels that were used for residential and commercial purposes. Past commercial uses included a wagon shop, a blacksmith shop, a gasoline service station, and an auto repair shop.

Environmental investigation and interim remedial measures were completed by the City between 2011 and 2015 and included removing four abandoned underground storage tanks (USTs) and the removal and off-site disposal of a limited volume of petroleum-contaminated soils beneath and in proximity to the former USTs. The environmental work completed to date indicates additional environmental cleanup of petroleum-

December 18, 2018

contaminated soil and groundwater is required. As a result of the petroleum impacts at the Site, the New York State Department of Environmental Conservation (NYSDEC) issued Spill file #1103833 for the Site in 2011, which currently has an open status.

In November 2017 the City submitted a cleanup grant application to the EPA for the Site, and in September 2018 the USEPA awarded the City of Rochester \$200,000 in grant funds to assist with the cleanup of the Site. There is a required 20% match for this grant which will be funded from FY 2016-17 Cash Capital of the Department of Environmental Services. It is anticipated that the cleanup will be performed under a Stipulation Agreement with the NYSDEC Region 8.

Future use of the Site is anticipated to consist of residential redevelopment with a two-family affordable housing unit to continue to fulfill the City's residential urban infill plan that was discontinued when petroleum impacts attributable to past operations were discovered at the Site.

A Request for Proposal for the environmental cleanup of the Site will be developed and issued in spring 2019, and City Council authorization will be obtained to enter into a new Professional Services Agreement with the selected environmental consultant. Cleanup is anticipated to be initiated in the summer or fall of 2019 and take approximately three years.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-203

Ordinance No. 2018-404
(Int. No. 444)

Authorizing receipt and use of Brownfield Cleanup grant funds for 121-123 Reynolds Street

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Environmental Protection Agency for receipt and use of Brownfield Cleanup grant funds in the amount of \$200,000 to fund the environmental remediation of 121-123 Reynolds Street and that amount is hereby appropriated for said purpose.

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. 2018-405
 Re: Professional Services Agreements
 Hazardous Materials Services

Council Priority: Creating & Sustaining a
 Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to hazardous materials management:

Firm Name	Address
Genesee Environmental, LLC	24 Industrial Park Circle Rochester, New York 14624
ME Holvey Consulting, LLC (WBE)	P.O. Box 1252 Pittsford, New York 14534
National Response Corporation (NRC)	1260 Scottsville Road Rochester, New York 14624
Nothnagle Drilling, Inc.	1821 Scottsville Mumford Road Scottsville, New York 14546
Sessler Environmental Services, LLC (SES)	30 Vantage Point Drive, Suite 4 Rochester, New York 14624
SUN Environmental Corp.	230 McKee Road P.O. Box 24398 Rochester, New York 14624
TREC Environmental, Inc.	1018 Washington Street Spencerport, New York 14559

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary, other departments using the services or from capital funds appropriated for specific environmental projects.

The City routinely has a need for various services related to the identification, disposal and remediation of hazardous materials. These services include:

1. Testing and characterization of wastes
2. Exploratory and geotechnical drilling services
3. Preparation, transportation and disposal of hazardous materials
4. Removal of wastes routinely generated at City facilities, discovered on properties and right-of-ways owned by the city, or identified by the Rochester Fire Department
5. Removal of underground storage tanks from development parcels
6. Installation, operation and maintenance of remedial systems
7. Emergency cleanup of spills
8. Indoor air quality assessment
9. Asbestos, lead, PCBs and mold abatement
10. Remediation of property contamination

December 18, 2018

Agreements for these services have been used with area environmental contractors since 1992, most recently in December 2014 (Ordinance No. 2014-389).

The firms were selected through a request for proposal process, which is described in the attached summary.

The services will be provided at specific unit prices. The selection of the specific company to provide the services will be based upon the type of services required and the ability of the firm to perform the services within the time specified by the City.

The term agreements will be for two (2) years, with the option to renew for two (2) additional one-year periods.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-204

Ordinance No. 2018-405
(Int. No. 445)

Authorizing agreements for services related to hazardous materials management

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 consultants for services related to hazardous materials management as required by the City:

Genesee Environmental LLC
ME Holvey Consulting, LLC
National Response Corporation
Nothnagle Drilling, Inc.
Sessler Environmental Services, LLC
SUN Environmental Corp.
TREC Environmental, Inc.

Section 2. The agreements shall extend for a term of two years with up to two optional renewals of 1 year each, and shall obligate the City to pay unit prices in an amount not to exceed the amount budgeted for each project, which shall be funded from the annual Budget of the Department of Environmental Services, or other Departments using these services, or from capital project appropriations.

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.

December 18, 2018

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2018-406

Re: Professional Services Agreement
Energy Program Support Services

Transmitted herewith for your approval is legislation related to services in support of advancing energy projects and programs for the City of Rochester. This legislation will authorize a professional services agreement with PMD Energy and Environments, LLC (PMDEE), 4 Balsam Drive, Rochester, NY (Patrick M. Dishaw, P.E., President) to provide energy consulting services to the City.

Through funding from the New York Power Authority (NYPA) Five Cities Program, PMDEE President Patrick M. Dishaw has, for the past 14 months, provided direct support to the City of Rochester's Office of Energy and Sustainability, providing technical consulting and owner representation services on projects involving LED lighting upgrades, photovoltaic system analysis and energy generation verification, utility billing/photovoltaic credit analysis, New York State Energy Research & Development Authority, RG&E, and National Grid incentive/rebate applications and payment processing, micro-scale hydroelectric and geothermal HVAC feasibility studies, electric vehicle DC fast charger project support, and management of the City's facility energy usage database in Environmental Protection Agency's (EPA) Portfolio Manager system. All of these projects are current or on-going activities. A full justification for not issuing a request for proposals is attached.

Although NYPA originally indicated that funding this service for the Five Cities Program would extend through the end of 2020, in October 2018 NYPA decided to discontinue funding at the end of this year. Execution of this agreement with PMDEE will allow the City to continue working on these existing energy projects, as well as complete future projects in a timely manner. Many of these projects provide significant energy usage and greenhouse gas emissions reductions as well as cost savings to the City, and help the City advance the goals of the Rochester Climate Action Plan.

Services utilized under this agreement will be financed from the annual budgets of the departments using the services or from funds appropriated for specific projects. Services will be requested by the City on an as-needed basis.

The agreement will have an initial term of one year, with provisions for renewal for two additional one-year periods based on mutual written agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-205
Ordinance No. 2018-406
(Int. No. 446)

Authorizing an agreement for energy program support 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 PMD Energy and Environments, LLC for services in support of advancing energy projects and programs for the City on an as-needed basis. The agreement shall have a term of one year with the option for two one-year renewals and shall be financed from the annual budgets of the departments utilizing the services or from funds appropriated for specific projects. The compensation shall be limited to the funds available for this purpose.

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. 2018-407
Re: Agreement – MRB Group, Engineering,
Architecture & Surveying, D.P.C.
Hydraulic Model Support Services.

Transmitted herewith for your approval is legislation establishing \$35,000 as maximum compensation for an agreement with MRB Group, Engineering, Architecture & Surveying, D.P.C. (Ryan T. Colvin, P.E., President) Rochester, NY to provide hydraulic model simulation support services. The term of this agreement will be for three years. The cost of this agreement will be funded from 2018-19 Cash Capital.

MRB Group will provide support services required to update the Water Bureau's InfoWater hydraulic software model of the City's water system and will also assist in programming the software to simulate various changes to the water system and resultant impacts on hydraulic and water quality parameters such as fire flows, pressures and water age. The hydraulic model has been a vital tool used for optimizing pressures in the City's south-west quadrant and will be used extensively when evaluating options for bringing Highland and Cobbs Hill Reservoirs into compliance with USEPA regulations for open reservoirs.

MRB Group has 15 years of experience in hydraulic and water quality modeling and 10 years working exclusively with the proprietary InfoWater software program, making it uniquely qualified for this work. Innovyze, the software developer, initially recommended MRB Group for this work three years ago and MRB Group recently completed a successful 3 year agreement with the Water Bureau for similar services. A full justification for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-206

Ordinance No. 2018-407
(Int. No. 447)

Authorizing an agreement for hydraulic model support 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 MRB Group, Engineering, Architecture & Surveying, D.P.C. to provide hydraulic model simulation support services. The agreement shall have a term of three years and a maximum compensation of \$35,000, which amount shall be funded from 2018-19 Cash Capital.

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. 2018-408
Re: Blue Cross Arena- Operating
Agreement

Council Priority: Deficit Reduction and Long
Term Financial Stability

Transmitted herewith for your approval is legislation authorizing an agreement with Rochester Arena, LLC (RA) for the lease of the Blue Cross Arena at the War Memorial and amending Ordinance 2007-264 related to the user fee applied to tickets for events taking place at the arena on or after January 1, 2019.

The City entered into an interim agreement with RA to provide for continuity of arena operations while a long term arrangement was negotiated. The interim agreement expires 12/31/18.

RA is an affiliate of the Rochester Americans.

Under the terms of the proposed 15-year agreement, which will run from January 1, 2019 through December 31, 2033, RA will be responsible for all aspects of arena operations, including but not limited to concessions, ticketing, booking events, security, and negotiating and administering tenant agreements.

December 18, 2018

RA will pay all operating expenses, including reimbursing the City in full for all utilities, and will reimburse 50% of Police costs related to arena events. In return for the right to operate the arena, RA will pay rent to the City in the amount of \$60,000 per year.

The City will continue to receive revenues generated from the ticket user fee of \$.25 for tickets valued below \$6 and \$1.25 for tickets valued at \$6 or more. RA will increase the user fee by \$1.50 (for a total user fee of \$2.75) for tickets valued at \$6 or more, with the City receiving half the revenue generated by the increase and RA retaining the other half. The City will continue to receive the revenue from its current naming rights agreement, and will split the revenue with RA upon expiration of the current agreement. The City will continue to receive the hotel/motel tax.

RA will retain revenues generated from advertising, suite sales, and scoreboard sponsorship, and any other revenue generated from operations.

The City will retain responsibility for the structure and replacement of building systems, while RA will be responsible for routine maintenance and repairs.

Over the course of the agreement, RA and the City will each contribute \$3 million for capital improvements to the arena.

In addition, the agreement provides for RA to manage the Court Street Parking Lot (Lot 10) and pay \$100,000 annually to the City for the right to manage the lot. RA will be responsible for all operating expenses related to it and will retain all revenues generated from it, and will be responsible for all revenue control and gate access equipment. The City will be entitled to use up to 150 spaces in the lot during business hours at no cost for RPD, RFD, and certain IT employees working at the PSB, as well as up to 25 spaces outside business hours at no cost for such employees. The City will also provide paving and striping services as necessary to keep the lot in good condition.

The proposed agreement may also contain other terms and conditions as the Mayor deems appropriate, including provisions for the retention of certain events at the arena, including the Gus Macker Basketball tournament, the Distinguished Gentlemen event, and the Section 5 High School basketball playoff tournament. In addition, the City may continue to utilize the arena's marquee to advertise certain City events, programs and services.

The proposed agreement is expected to reduce significantly the City subsidy of the arena.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-408
(Int. No. 448)

Authorizing an agreement for the management of the Blue Cross Arena at the War Memorial and the Court Street Parking Lot and amending user fees

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

December 18, 2018

Section 1. The Mayor is hereby authorized to enter into an agreement with Rochester Arena, LLC (RA), for management of the Blue Cross Arena at the War Memorial (the Arena) and the Court Street Parking Lot (Lot 10) in accordance with provisions set forth in this ordinance. The term of the agreement shall be January 1, 2019 through December 31, 2033.

Section 2. RA shall be responsible for all operating expenses at the Arena and shall reimburse the City for all utilities, and 50% of police costs related to events at the Arena. In return for the right to operate the Arena, RA shall pay the City \$60,000 per year. The City shall retain responsibility for the structure and replacement of building systems and RA shall be responsible for routine maintenance and repairs. RA and the City shall each contribute \$1,000,000 for capital improvements to the Arena at years 4, 8, and 12 of the agreement.

Section 3. RA shall manage the Court Street Parking Lot (Lot 10) and in return for the right to manage Lot 10, shall pay \$100,000 annually to the City. RA shall be responsible for all operating expenses, including revenue control and gate access equipment and shall retain all revenues generated from Lot 10. The City shall be entitled to use up to 150 spaces during business hours and 25 spaces outside of business hours in Lot 10 for employees at no cost and the City shall provide paving and striping services necessary to keep Lot 10 in good condition.

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

Section 5. The Council hereby approves the establishment of an amendatory user fee of \$2.75 to be applied to all tickets with a face value of more than \$6.00 for events taking place at the Arena on or after January 1, 2019. The City shall retain \$2.00 and RA shall retain \$0.75 of the revenue generated for each ticket user fee. The current user fee established by Ordinance No. 2007-264 of \$0.25 applied to all tickets with a face value of \$6.00 or less shall remain the same.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Lightfoot
December 18, 2018

To the Council:

December 18, 2018

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

- Int. No. 449 Appropriating funds and amending the 2018-19 Budget for Project CLEAN
- Int. No. 450 Authorizing an intermunicipal agreement with the County of Monroe for funding of firearms instruction
- Int. No. 451 Authorizing an agreement for the ROCmusic program
- Int. No. 452 Authorizing agreements and funding for the Comprehensive Adolescent Pregnancy Prevention Program
- Int. No. 453 Authorizing an agreement for the Rochester City Soccer League

Respectfully submitted,
Willie J. Lightfoot
Mitch Gruber
Jacklyn Ortiz (Absent)
Adam C. McFadden
Loretta C. Scott
PUBLIC SAFETY YOUTH & RECREATION COMMITTEE
Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-409
Re: Federal Forfeiture Funds

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating \$16,000 from federal forfeiture funds generated by the Rochester Police Department and amending the 2018-19 Budget of the Police Department (\$12,000) and Undistributed Expenses (\$4,000) for personnel and associated fringe costs, respectively, from the appropriation herein.

These federal forfeiture funds will be used to pay overtime and associated fringe benefits to collaborate with Ibero-American Development Corporation (IADC) on Project CLEAN (Community, Law Enforcement, and Assistance Network). The goal of Project CLEAN is to reduce the impact of the open-air heroin trade using strategies that include law enforcement, outreach and connections to substance abuse rehabilitation, and neighborhood revitalization.

The Police Department will conduct walking patrols in Clinton Section and engage in relationship building, conduct premise checks, and assess physical disorder in the neighborhoods.

The appropriations requested this month will result in a balance of approximately \$1,020,100 in the federal forfeiture Justice fund.

December 18, 2018

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-409
(Int. No. 449)

Appropriating funds and amending the 2018-19 Budget for Project CLEAN

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

Section 1. Ordinance No. 2018-157, the 2018-19 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 and the Budget of Undistributed Expenses by the sum of \$4,000, which amount is hereby appropriated from funds realized from seized and forfeited assets to fund overtime and associated fringe benefits on Project CLEAN (Community, Law Enforcement, and Assistance Network).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-410
Re: Inter-Municipal Agreement - Monroe
County, Firearms Instruction

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the continuation of the inter-municipal agreement with Monroe County for the receipt and use of funding for the Firearms Instruction Program in the amount of \$55,675. The term of the agreement is January 1, 2019 through December 31, 2019.

The County provides reimbursement for a portion of the salary and benefits of Rochester Police Department firearms instructors to train officers in Monroe County police agencies. No budget amendment is needed as the positions and the associated funding were anticipated and included in the 2018-19 Budget of the Police Department.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-410
(Int. No. 450)

Authorizing an intermunicipal agreement with the County of Monroe for funding of firearms instruction

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 reimbursement for the 2019 Firearms Instruction Program in the amount of \$55,675. The term of the agreement shall be January 1, 2019 through December 31, 2019.

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. 2018-411
Re: Agreement – ROCmusic program

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

Transmitted herewith for your approval is legislation establishing \$22,500 as maximum compensation for an agreement with Ronald Carlton Wilcox, d/b/a Carlton Wilcox LIVE, (Principal: Ronald Carlton Wilcox, Rochester, NY) for coordination and instruction of a ROCmusic program music production track. The cost of this agreement will be funded from the 2018-19 Budget of Communications and the term of the agreement will be for one year.

ROCmusic is an after-school and summer community-based music education program that offers tuition-free classical music instruction and instrument lessons at the David F. Gantt R-Center and the Edgerton R-Center. In the 2018-19 program year, ROCmusic is expanding to two additional sites, Frederick Douglass R-Center and Adams R-Center, and includes exploration of new musical genres throughout the program.

Under this agreement, the Consultant will provide music instruction for a music production track and a DJ/MC track within the ROCmusic program. Instruction will be delivered to up to 50 youth ages 10 and older tracks at the production studio at the Gantt R-Center, and will culminate in a showcase event.

The ROCmusic program was last authorized by City Council Ordinance No. 2018-246 adopted on July 25, 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-411
(Int. No. 451)

Authorizing an agreement for the ROCmusic 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 \$22,500 with Ronald Carlton Wilcox doing business as Carlton Wilcox LIVE for coordination and instruction of a ROCmusic program music production track. Said amount shall be funded from the 2018-19 Budget of the Bureau of Communications and shall have a term of 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. 2018-412
Re: Agreements – New York State
Department of Health, Comprehensive
Adolescent Pregnancy Prevention
Grant

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, 2019 program period.
2. Establish \$273,815 as total maximum compensation for the following agreements, funded from the grant authorized herein, for a term of one year:

Baden Street Settlement / Metro Council for Teen Potential	\$83,242
Highland Family Planning	55,170
Society for the Protection and Care of Children	60,044
YWCA of Rochester and Monroe County	50,359

Christopher Communications	<u>25,000</u>
TOTAL	\$273,815

3. Authorize a no-funds inter-municipal memorandum of agreement with the Rochester City School District (RCSD) for the City’s implementation of evidence-based curricula delivery in RCSD schools and programs. The term of the agreement will be for one year, with two annual renewals contingent upon the approval of future grant program years.

The \$125,751 of grant funds apportioned to personnel costs and benefits for four full-time employees for January 1, 2019 through June 30, 2019, was anticipated and included in the 2018-19 Budgets of the Department of Recreation and Youth Services and Undistributed Expenses. The remaining \$143,981 apportioned to personnel costs and benefits for those grant-funded employees for July 1, 2019 through December 31, 2019, will be anticipated and included in the 2019-20 Budgets of the Department of Recreation and Youth Services and Undistributed Expenses, contingent upon approval. The remaining \$54,860 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 three of the five year grant. The grant was last authorized by City Council Ordinance No. 2017-364

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:

- Implement evidence-based curricula in the Rochester City School District
- 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.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2018-412
 (Int. No. 452)

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 for the receipt and use of \$598,407 in funding for the Comprehensive Adolescent Pregnancy Prevention Program (the Program) for the January 1, 2019 to December 31, 2019 program period.

Section 2. The Mayor is hereby authorized to enter into professional service agreements to provide Program services with the following organizations up to the maximum amount specified therein for a term of one year:

Organization	Amount
Baden Street Settlement, Inc. /Metro Council for Teen Potential	\$83,242
Highland Family Planning	55,170
Society for the Protection and Care of Children	60,044
YWCA of Rochester and Monroe County, N.Y.	50,359
Christopher Communications (marketing & media)	25,000
Total	\$273,815

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 \$273,815, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received from the New York State Department of Health under the grant agreement authorized in Section 1 herein.

Section 4. Funds from that grant agreement in the amount of \$54,860 are hereby appropriated to the Teenage Pregnancy 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 appropriate.

Section 6. The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District (the "District") for the City's implementation of evidence-based curricula delivery in the District schools and programs. The term of the agreement shall be for one year with two optional one-year renewals contingent upon the approval of future grant program years.

Section 7. The intermunicipal agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 8. This ordinance shall take effect immediately.

Passed unanimously.

December 18, 2018

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2018-413
Re: Agreement – Rochester City Soccer
League
Council Priority: Creating and Sustaining a
Culture of Vibrancy, Support the Creation of
Effective Educational Systems.

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum annual compensation for an agreement with the Rochester City Soccer League (Nicole Hercules, Henrietta, NY) for coordination of indoor & outdoor youth soccer leagues. The term of the agreement will be for one year, with the option to renew for three additional one-year terms. The cost of the agreement will be funded from the 2018-19 and subsequent Budgets of the Department of Recreation and Youth Services (DRYS), contingent upon their approval.

Under this agreement, the Rochester City Soccer League will provide technical futsal/soccer instruction and coordinate winter and summer coed soccer leagues for up to 350 youth between the ages of 6-19. The Consultant will also provide life skills workshops, homework help, and local college tours.

The Rochester City Soccer League was selected for these services based on prior successful collaboration and their ability to serve a larger number of participants. Prior to this agreement, DRYS partnered with the Rochester City Soccer League to pilot soccer clinics and a 2018 spring/summer soccer league for 175 youth. Last season's participants include three high school valedictorians, Division 1 college soccer players, and many others that are currently playing for Section V High School Teams. A full justification for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AR-207

Ordinance No. 2018-413
(Int. No. 453)

Authorizing an agreement for the Rochester City Soccer League

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Rochester City Soccer League, or an organization formed for the purpose by the league's principals, for coordination of indoor and outdoor youth soccer leagues. The agreement shall have a term of one year with the option to renew for three additional one-year terms. The maximum annual compensation for the agreement

December 18, 2018

shall be \$20,000, which shall be funded from the 2018-19 Budget of the Department of Recreation and Youth Services (the “Department”) and the renewal terms, if exercised, from future Budgets of the Department, 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.

By Councilmember Spaul
December 18, 2018

To the Council:

The **ARTS & CULTURE COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 454	Authorizing an agreement for ticket sales and box office management of City-produced events
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Respectfully submitted,

Elaine Spaul
Molly Clifford
Michael A. Patterson
Adam C. McFadden
Loretta C. Scott
ARTS & CULTURE COMMITTEE

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2018-414
Agreement – Rochester Broadway
Theatre League, Inc., (Principal: Arnie
Rothschild) City-Produced Events Box
Office and Ticket Sales Management

Services

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$17,800 as annual maximum compensation for an agreement with Rochester Broadway Theatre League (RBTL) for box office management services and on-site ticket sales during City-produced events. The cost of this agreement will be funded from the 2018-19 Budget of the Bureau of Communications. The term of this agreement will be for three years with the option of two, one-year renewals, for a maximum of five years, contingent upon approval of future budgets of the Bureau of Communications.

RBTL will provide on-site ticket sales and dedicated, licensed security personnel for such sales during City-produced events like Party in the Park at Dr. Martin Luther King, Jr., Park or other events and sites as determined by the City's special events programming decisions. In addition to the on-site ticket sales, RBTL will also provide general box office management services for each event. This includes the creation of an online Ticketmaster outlet, printed tickets, and the production of weekly sales reports. Patrons will be able to purchase tickets in person at the Auditorium Theatre's box office at 885 E. Main Street. At the end of each season, RBTL will provide the City with revenue from the ticket sales.

The City issued a Request for Qualifications for these services in October 2018. RBTL was the only responder. City Council passed an ordinance (2018-110) for the same amount for the 2018 events season with the City's then-box office services provider, SMG.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2018-414
(Int. No. 454)

Authorizing an agreement for ticket sales and box office management of City-produced events

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 Broadway Theatre League, Inc. to provide ticket sales and box office management services for City-produced events. The agreement shall have a term of three years with two optional one-year renewals. The maximum annual compensation for the agreement shall be \$17,800, funding for the first year shall be from the 2018-19 Budget of the Bureau of Communications, and funding for each subsequent year shall be from the subsequent annual Budgets of the Bureau of Communications, 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.

December 18, 2018

Passed unanimously.

The meeting was adjourned at 8:00 p.m.

HAZEL L. WASHINGTON
City Clerk