

ROCHESTER CITY COUNCIL

REGULAR MEETING

April 16, 2019

Present – President Scott, Councilmembers Clifford, Evans, Gruber, Lightfoot, Ortiz, Patterson, Spaul – 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.

Special Recognition:

Suzanne Mayer

Retirement:

DES:

- *Frederick Atzrott
- *Vincent Paolotto
- *Andrew M. Scibona
- *Gary J. Speciale

FIN:

- *Philip Damiano

RFD:

- *Jonathan Young

RPD:

- * Domingo Paz
- * Kimberly M. Peluso
- Terrence Tydings

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Ortiz

RESOLVED, that the minutes of the Regular Meeting of March 19, 2019 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

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The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes – April 2019. Comm. No. 4304-19

The Council submits Disclosure of Interest Forms from Councilmember Spaul on Int. No. 83 and Int. No. 103.

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

Councilmember Spaul presented 1,145 signatures supporting the Kids First Comprehensive Plan. - Petition No. 1759

President Scott presented 420 signatures opposing Police Accountability Board from the Rochester Police Locust Club. - Petition No. 1760

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on April 11, 2019 on the following matters:

Amending the 2018-19 Consolidated Community Development Plan Int. No. 89
No Speakers

Local Improvement Ordinance – Establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement Int. No. 91
No Speakers

Local Improvement Ordinance – authorizing special work and services related to the South Avenue/Alexander Street Open Space District Int. No. 93
No Speakers

Local Improvement Ordinance establishing the cost of special services for the East Avenue/Alexander Street Entertainment District Int. No. 94
No Speakers

Amending the Official Map Int. No. 100.
No Speakers

Authorizing pavement width changes adjacent to Flower City School No. 54 Int. No. 101
No Speakers

Amending the Official Map Int. No. 102
No Speakers

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Local Improvement Ordinance – establishing the operation, installation and maintenance costs of street lighting special assessment districts Int. No. 109
No Speakers

Amending Local Improvement Ordinance No. 1413, as amended by Local Improvement Ordinance No. 1672, to remove 5 parcels in the Monroe Avenue I Street Lighting District Int. No. 110
No Speakers

Continuation of Local Improvement Ordinance No. 1422 relating to the Norton Street Urban Renewal District Street Lighting District Int. No. 111
No Speakers

Local Improvement Ordinance – care and embellishment of street malls for 2019-20 Int. No. 112
No Speakers

Local Improvement Ordinance – establishing the operating and maintenance costs of special assessments for streetscape enhancements Int. No. 113
No Speakers

Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District Int. No. 114
No Speakers

Local Improvement Ordinance – security and snow removal services at the Public Market for 2019-20 Int. No. 116
No Speakers

THE COUNCIL PRESIDENT --- INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

By President Scott

Resolution for the nomination and selection of a Vice President of the Rochester City Council
Int. No. 123

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2019-5
Re: Resolution – Vice President of City
Council

Transmitted herewith for your approval is a resolution that establishes Willie J. Lightfoot as the Vice President of the Rochester City Council, effective immediately through December 31, 2019.

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Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2019-5
(Int. No. 123)

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

WHEREAS, the office of Vice President of the Council of the City of Rochester became vacant on April 1, 2019; and

WHEREAS, the President of Council has introduced this resolution to select a replacement by means of a statement of necessity of immediate passage because filling the position of Vice President promptly is important to the sound functioning of this Council.

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

Section 1. The Council of the City of Rochester hereby nominates and selects Willie J. Lightfoot as Vice President of the Council for the remainder of 2019.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

By President Scott
April 16, 2019

To the Council:

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

- Int. No. 81 Approving the commitment of reserve funds
- Int. No. 82 Authorizing an agreement for Undoing Racism training
- Int. No. 83 Authorizing an amendatory agreement for the operation of the South Avenue Garage

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Int. No. 120 Authorizing agreement for an Electric Vehicle Carshare Program

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

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-75
Re: Committing Tax Relief and
Retirement Reserves

Council Priority: Deficit Reduction and Long
Term Financial Stability

Transmitted herewith for your approval is legislation authorizing the commitment of previously assigned funds for Property Tax Relief and Retirement Costs in accordance with Governmental Accounting Standards Board (GASB) Statement 54 *Fund Balance Reporting and Government Fund Type Definitions*.

From the surplus available at the end of fiscal year 2017-18, the Director of Finance, as authorized in the City Charter, assigned \$5,000,000 to Property Tax Relief and \$4,600,000 to Retirement Costs. In order to change the classification from *assigned to committed*, City Council action is required. The commitment of these balances would bring the total General Fund Balance committed for Property Tax Relief to \$29,545,600 and for Retirement Costs to \$27,928,565. These balances are further reduced by the budgeted appropriations of fund balance for 2018-19 which are \$3,000,000 for Property Tax Relief and \$4,600,000 for Retirement Costs.

The committed fund balance classification includes amounts that can be used only for the specific purposes determined by the action of City Council. Specifically, funds committed for Property Tax Relief (formerly the Tax Relief Reserve) can only be used to address future projected budget deficits; and funds committed to Retirement Costs (formerly the Retirement Reserve) will be used to manage future retirement costs.

These additional funds are available as a result of favorable 2017-18 year-end expenditure variances attributable to personnel and fringe benefit savings from vacancies, motor equipment savings and other miscellaneous expense. Positive revenue variances resulted from higher sales tax distributions, property tax collections and additional moving violation revenue collections due to the creation of the Traffic Violations Bureau.

Respectfully submitted,
Lovely A. Warren
Mayor

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Ordinance No. 2019-75
(Int. No. 81)

Approving the commitment of reserve funds

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

Section 1. The Council hereby approves the commitment of \$5,000,000 for the purpose of property tax relief to assist in addressing future projected budget deficits. The Council hereby further approves the commitment of \$4,600,000 for the purpose of retirement to assist in managing future retirement costs

Section 2. The funds to be committed shall be funded from the surpluses available from the 2017-18 Budget of the City of Rochester, said funds having previously been assigned to the purpose of property tax relief and to the purpose of retirement by the Director of Finance pursuant to the authority provided by the City Charter.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-76
Re: Agreement – Racial Equity Training,
People’s Institute for Survival and
Beyond, Inc

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation establishing \$40,500 as maximum compensation for an agreement with the People’s Institute for Survival and Beyond, Inc for three “Undoing Racism” trainings for a broad range of community stakeholders involved in economic re-development in the Rochester community. The cost of this agreement will be funded from the 2018-19 Mayor’s Office Budget. The term of this agreement will be for 1 year, with the option to renew for 1 year if funds remain.

A full justification for not issuing a request for proposals is attached. The cross-departmental project team of City staff participating in the City Accelerator cohort will require internal and external community partners to undergo specialized racial equity training as a prerequisite to joining the closed-loop referral and self-navigation system launch underway as a central part of the initiative. The total cost will fund three training sessions and accommodate up to a total of 150 participants, including local funders, professional services providers, technical assistance providers, community-based organizations, government agencies, and City residents. The racial equity training requirement will align the City Accelerator project goal of building a stronger, more inclusive small business ecosystem in tandem with the vital efforts of the “Let’s Get REAL” (Race, Equity, and Leadership) initiative—a partnership with National League of Cities, City Council, the Chamber of Commerce and St. Joseph’s Neighborhood Center’s Racial Equity and Justice Initiative (REJI). This allocation of grant funds has already been

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approved by Living Cities, and all funds allocated are sourced from the Living Cities grant approved in July 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-46

Ordinance No. 2019-76
(Int. No. 82)

Authorizing an agreement for Undoing Racism training

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 People’s Institute for Survival and Beyond, Inc. in the maximum amount of \$40,500 to provide “Undoing Racism” trainings for economic redevelopment stakeholders in the Rochester community. The cost of the agreement shall be funded from the 2018-19 Budget of the Mayor’s Office and the term of the Agreement shall be 1 year with the option to renew for an additional year if funds remain.

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. 2019-77
Amendatory Agreement – Rochester
Convention Center Management
Corporation, South Avenue Parking
Garage

Council Priority: Deficit Reduction and Long
Term Financial Stability

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Rochester Convention Center Management Corporation (“RCCMC”) for operation of the South Avenue Parking Garage. The agreement was extended for two years in October 2017 by Ordinance No. 2017-321.

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This legislation will extend the term of the agreement for two years from December 31, 2019 to December 31, 2021.

This amendatory agreement will also shift responsibility for payment of the garage utilities to the City requiring the RCCMC to not only remit 15% of the gross revenue but also reimburse the City for utility expenses quarterly. Ordinance No. 2019-27 authorized the issuance of bonds to finance the South Avenue Parking Garage Lighting and Electrical System Replacement Project. A condition of the New York Power Authority design and installation of this project is that the local municipality benefit financially from the improvements. All other terms and conditions will remain the same.

RCCMC will continue to be responsible for all expenses related to the operation of the garage including, but not limited to, security, customer service, cleaning, and repairs costing \$5,000 or less. Repairs in excess of \$5,000 must first be approved in writing by City staff.

The South Avenue Garage provides essential parking resources for the Joseph A. Floreano Rochester Riverside Convention Center and Hyatt Hotel. The requested agreement extension would continue the established rights and responsibilities of all parties.

The estimated annual revenue, net of utility reimbursement, to the Parking Enterprise Fund from this agreement is \$200,000. Annual utility expenses prior to the completion of the project are approximately \$150,000.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-77
(Int. No. 83)

Authorizing an amendatory agreement for the operation of the South Avenue Garage

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Rochester Convention Center Management Corporation (RCCMC) to extend the agreement for the operation of the South Avenue Garage originally authorized by Ordinance No. 2013-219 and extended by Ordinance No. 2017-321, from December 31, 2019 to December 31, 2021. The original agreement shall also be amended by providing that the City shall be responsible for payment of the garage utility expenses and RCCMC shall reimburse the City for the utility expenses quarterly.

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.

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TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-78
Re: Agreement – New York State Energy
Research and Development Authority
Plug-In Electric Vehicle Enabling
Technology Development and
Demonstration (PON 3578)

Transmitted herewith for your approval is legislation related to the New York State Department of Energy Research and Development Authority (“NYSERDA”). This legislation will:

Authorize an agreement with NYSERDA for the receipt of \$310,000 in grant funds to support the planning and implementation of the Rochester Shared Mobility Program’s Electric Vehicle (“EV”) Carshare Program. This grant, awarded to the City on July 27, 2018, will fund the cost of procuring a vendor to develop and operate an EV carshare system. The system will be accessible to the public and promote membership in low and moderate income neighborhoods. The use and availability of EV carshare will improve air quality by reducing private automobile dependency within and around the city.

In 2017, the City began the Rochester Shared Mobility Program which has improved sustainable transportation options in Rochester. This effort includes the implementation of the public bike share program (Zagster/Pace) and the commuter vanpool program, now operated by the Regional Transit Services. The bike share program has been used for more than 55,000 trips with over 14,000 members signing up. The vanpool program has enabled more than 50 Rochester residents to access employment opportunities outside the reach of local bus service. The carshare program is the final service to be implemented under the umbrella of the Rochester Shared Mobility Program and will provide access to vehicles on an hourly basis.

The EV carshare program will be funded by a variety of sources including NYSERDA, Department of Environmental Conservation’s Climate Smart Communities Grant Program and New York State’s Congestion Mitigation and Air-Quality Improvement Grant. Further legislation will be proposed for the appropriation of these funds following and RFP process and selection of a vendor.

This project is anticipated to be completed by 2021.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-78
(Int. No. 120)

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Authorizing agreement for an Electric Vehicle Carshare 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 Energy Research and Development Authority for the receipt and use of funds in the amount of \$310,000 from a Plug-In Electric Vehicle (PEV)-Enabling Technology Development and Demonstration Program grant to plan and implement the Rochester Shared Mobility Program's Electric Vehicle Carshare Program.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson
April 16, 2019

To the Council:

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

- Int. No. 84 Authorizing the sale of real estate
- Int. No. 85 Authorizing the sale of real estate and a grant agreement with Flower City Habitat for Humanity, Inc. for the construction of affordable housing
- Int. No. 86 Amending Ordinance No. 2019-21
- Int. No. 87 Authorizing an amendatory lease agreement for the use of office space at 1 Mount Hope Avenue
- Int. No. 88 Authorizing the acquisition of real estate for the Rochester City School District Facilities Modernization Program
- Int. No. 90 Authorizing payment in lieu of taxes and loan agreements for the Southeast Towers Rehabilitation Project
- Int. No. 92 Authorizing a loan agreement with IL2 LLC
- Int. No. 122 Resolution approving appointments to the Zoning Board of Appeals

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

- Int. No. 89 Amending the 2018-19 Consolidated Community Development Plan
- Int. No. 91 Local Improvement Ordinance – Establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement
- Int. No. 93 Local Improvement Ordinance – authorizing special work and services related to the South Avenue/Alexander Street Open Space District
- Int. No. 94 Local Improvement Ordinance establishing the cost of special services for the East Avenue/Alexander Street Entertainment District

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-79
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

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

The first property is a vacant lot sold by negotiated sale to the adjoining owner who will utilize the parcel for additional green space/garden usage.

The second property is a vacant lot sold by negotiated sale to the adjoining owner who will utilize the parcel for additional green space.

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The third property is a portion of a vacant commercial parking lot and ancillary structure sold by negotiated sale to the adjoining owner (The County of Monroe) who will continue to operate and maintain the Property for marine operations of the Monroe County Sheriff.

The next three properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to the adjacent owners who will combine the lots with their existing properties for additional green space/garden usage.

The first year projected tax revenue for the properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$1,652.

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. AS-47

Ordinance No. 2019-79
(Int. No. 84)

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 of the negotiated sale of the following parcels of vacant land:

Address	SBL#	Lot Size	Sq. Ft.	Price	Purchaser
43 Fifth St	106.60-1-8	40 x 120	4,800	\$425	Flairine Creve-Couer
376 Garson Av	107.61-2-63	40 x 128	5,120	\$450	Darrell L. Reaves

Section 2. The Council hereby approves the negotiated sale of the following described portion of a parcel comprised of a vacant parking lot and ancillary structure to the owner of the adjoining lot located at 5351 St. Paul Boulevard for use as part of the facilities of the Sheriff's Office Marine Unit:

Address	SBL#	Sq. Ft.	Price	Purchaser
5353 St. Paul Blvd (portion)	047.560-02-005.001	1158	\$14,000	County of Monroe

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 2, Township 14, Range 7 and being more particularly bounded and described as follows: Beginning at a point along the Town of Irondequoit/City of Rochester Corporate Limits, at the common corner of lands of the State of New York to the west (Liber 675 of Deeds, Page 277) and the City of Rochester to the east (Liber 1303 of Deeds, Page 488), said common corner being the Point or Place of Beginning; thence

- 1) S 33° 28' 14" W, along the common line of the State of New York and the City of Rochester, a distance of 46.31 feet to the southeast corner of said lands of the State of New York; thence
- 2) S 56 ° 31' 46" E, along the easterly extension of south line of said lands of the State of New York, a distance of 25.0 feet, more or less, to the west line of lands of the County of Monroe as conveyed by a deed filed in Liber 2571 of Deeds, Page 77; thence
- 3) N 33° 28' 05" E, along said west line of the County of Monroe , a distance of 45.5 feet, more or less, to the northwest corner thereof and the said Town/City Corporate Limits ;thence
- 4) N 54° 34' 05" W, along said Corporate Limits, a distance of 25.01 feet to the Point or Place of Beginning.

Hereby intending to describe a parcel of land containing 1158 square feet, more or less, all as shown on a map entitled "Sheriffs Marine Headquarters - Parcel Delineation Map", dated February 5, 2002, as prepared by Fisher Associates.

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address	SBL#	Lot Size	Sq. Ft.	Purchaser
330-332 Jay St	105.84-1-69	43 x 65	2,975	BSD Syndicate LLC
82 Dayton St	091.80-2-25	35 x 103	3,605	Edgar Izquierdo and Jenny Izquierdo
1 Mozart Pl	091.80-2-25	35 x 103	2,355	Real Deal Equity Holdings USA, LLC

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

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TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-80
Re: Sale of Real Estate and Grant
Agreement with Flower City Habitat
for Humanity

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to Flower City Habitat for Humanity’s (Matthew Flanigan, President & CEO) single-family new-construction project, including the sale of City-owned real estate and authorization of a grant in the amount of \$100,000 to for the construction of five (5) new, affordable, single-family homes in the City of Rochester.

This legislation will:

1. Authorize the sale of four (4) vacant parcels to Flower City Habitat for Humanity (FCHH) for the development of single-family homes for first time home buyers as part of the JOSANA Master Plan.

<u>Address</u>	<u>S.B.L. #</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>
375 Campbell Street	120.26-1-74.001	50 x 87	4352	\$425
395 Campbell Street	120.26-1-78	53 x 80	4270	\$425
423-425 Jay Street	105.83-3-4	50 x 162	8125	\$525
105 Holworthy Street	105.79-1-53	40 x 123	4936	\$425

2. Authorize an agreement in the amount of \$100,000 for a grant to Flower City Habitat for Humanity, and appropriate \$100,000 in HOME Program funds from the 2016-17 New Housing Construction allocation of the Housing Development Fund to fund the grant.

The term of the agreement is for two years, with a maximum grant amount of \$20,000 per home. The funds will be used to support the construction of single-family homes on the four (4) aforementioned lots, with one (1) home to be built on a previously acquired lot.

The grant will be used as a subsidy to support construction of the five (5) owner-occupied single-family houses in and adjacent to the JOSANA neighborhood where the residents, together with the City and other stakeholders, completed a Neighborhood Master Plan in 2011. FCHH’s new construction activity aligns with the diverse residential community goal identified in the Master Plan. FCHH has been building new, single-family housing in the JOSANA neighborhood for many years. They employ construction managers to oversee development, and utilize volunteers to construct the homes.

The new houses will be sold to families selected by an FCHH committee using the following criteria:

- Annual household income between 35% and 70% of the area median income.
- Minimum two years continuous history of employment or other income source.
- Demonstrated need as current housing is substandard, overcrowded, or a cost burden.
- No bankruptcy or discharge within last two years, and no open judgements or tax liens.

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- Willingness to partner by contributing at least 300 hours of “sweat equity” (depending on household size), providing monthly proof of income and savings, providing a down payment and portion of closing costs, attending at least 7 required classes on financial literacy and home ownership, and agreeing to live in the house for at least 10 years.

The houses will be sold for appraised value (approximately between \$60,000 and \$80,000) and FCHH provides a 30-year mortgage with a 0% interest rate.

A SEQRA review was initiated; the project was determined to be a Type II Action in accordance with 6 NYCRR Part 617.5(c)(9) and does not require further review. A NEPA review is underway and will be completed prior to entering into any agreements for the New Construction project.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-48

Ordinance No. 2019-80
(Int. No. 85)

Authorizing the sale of real estate and a grant agreement with Flower City Habitat for Humanity, Inc. for the construction of affordable housing

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

Section 1. The Council hereby approves of the negotiated sale of the following parcels of vacant land to Flower City Habitat for Humanity, Inc. (FCHH) in order to effectuate the development of four single-family homes for first time home buyers:

Address	S.B.L. #	Lot Size	Sq. Ft.	Price
375 Campbell Street	120.26-1-74.001	50 x 87	4352	\$425
395 Campbell Street	120.26-1-78	53 x 80	4270	\$425
423-425 Jay Street	105.83-3-4	50 x 162	8125	\$525
105 Holworthy Street	105.79-1-53	40 x 123	4936	\$425

Section 2. The Mayor is hereby authorized to enter into a grant agreement with FCHH for the construction of five affordable homes in and adjacent to the JOSANA neighborhood. The agreement shall obligate the City to pay an amount not to exceed \$100,000 and the maximum grant amount for each home shall be \$20,000. The term of the agreement shall be two years.

Section 3. The sum of \$100,000, or so much thereof as may be necessary, is hereby appropriated for the grant agreement from the New Housing Construction allocation of the Housing Development Fund of the Consolidated Community Development Plan/2016-17 of the Annual Action Plan.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-81

Re: Real Estate Acquisitions

Council Priority: Rebuilding and Strengthening
Neighborhoods

Transmitted herewith for your approval is legislation that amends Ordinance No. 2019-21 relating to the acquisition of 10 properties on East Main Street and Laura Street for development of offices for the Goodman Section Rochester Police Department office and the Southeast Neighborhood Service Center. The legislation clarifies that Council authorizes the Corporation Counsel to exercise the City's eminent domain authority in the event that the City does not succeed in acquiring any of the properties by negotiation.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-81
(Int. No. 86)

Amending Ordinance No. 2019-21

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

Section 1. Ordinance No. 2019-21 regarding the acquisition of properties to establish a new Goodman Section office for the Rochester Police Department and a new Southeast Quadrant Neighborhood Service Center is hereby amended to read in its entirety as follows:

Ordinance No. 2019-21

Determinations and findings and authorization relating to the eminent domain acquisition of properties to establish a new Goodman Section office for the Rochester Police Department and a new Neighborhood Service Center for the City's Southeast Quadrant

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WHEREAS, the Rochester Police Department (RPD) has reorganized its patrol functions from a Two-Division structure to a Five-Section model in order to maintain and exceed the previous levels of service, increase community policing initiatives, connect officers to smaller, neighborhood-based patrol beats, and decentralize police services to neighborhoods;

WHEREAS, the RPD requires a permanent headquarters for its operations in one of the five newly delineated patrol areas, the Goodman Section, and the City wishes to collocate that facility with the Neighborhood Service Center (NSC) for the Southeast Quadrant, because the two operations encompass nearly the same territory and a collocated facility, hereinafter referred to as the "Project," will allow RPD and NSC to better coordinate their neighborhood-based services;

WHEREAS, the City has identified a suitable site for the Project, consisting of approximately 2.42 acres of land located in the Beechwood neighborhood on the north side of East Main Street, adjacent to and including a portion of Laura Street (the "Project Site");

WHEREAS, the search for a suitable Project site was guided by goals of finding a central location within the Goodman Section that is large enough and best situated to satisfy the needs of RPD and NSC customers and personnel and, after reviewing over 20 different sites, the Project Site was deemed to be the optimal one because it is a conspicuous location, readily accessible by vehicles, located on an RGRTA bus line, and because it will promote a more vibrant neighborhood by redeveloping a number of underutilized vacant parcels, including a Brownfield Cleanup site that is owned by the City;

WHEREAS, the Project Site is comprised of three parcels of land owned by the City located at 2 Laura Street and at 1200 and 1240 East Main Street, the southern end of the Laura Street right-of-way that extends approximately 125 feet northward from East Main Street, and the 10 privately-owned Acquisition Parcels listed below;

WHEREAS, the City of Rochester proposes to assemble the Project Site by acquiring the 10 Acquisition Parcels, abandoning a portion of Laura Street as a public street, using 3 City-owned parcels, and removing the existing dwellings in order to construct an approximately 18,000 square foot building to house the RPD Goodman Section and Southwest Quadrant NSC, and a parking lot for customers, personnel and official vehicles;

WHEREAS, in Ordinance No. 2019-5, Council authorized the City to acquire the Acquisition Parcels by negotiation for the amounts set for the below and, in Ordinance No. 2019-6, Council authorized the issuance of bonds in the amount of \$500,000 to acquire the Acquisition Parcels and to demolish existing structures in order to create a site for the Project; and

WHEREAS, the Council of the City of Rochester held a public hearing on February 7, 2019 pursuant to Article 2 of the Eminent Domain Procedure Law to consider the Project and 8 Speakers appeared at the hearing.

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

Section 1. The Council hereby makes the following determinations and findings concerning the Project:

- A. Project description – acquire the following 10 parcels of real estate (the “Acquisition Parcels”) and join them with three adjacent City-owned parcels located at 2 Laura Street and at 1200 and 1240 East Main Street and the southern end of the Laura Street right-of-way to assemble a site for an approximately 18,000 square foot building to house the RPD Goodman Section and the Southwest Quadrant NSC, and a parking lot for customers, personnel and official vehicles (collectively, the “Project”):

1-5 Laura Street	11-15 Laura Street
4-6 Laura Street	1214-1216 E. Main Street
7-9 Laura Street	1222 E. Main Street
8-8½ Laura Street	1228-1230 E. Main Street
10 Laura Street	1252 E. Main Street

- B. Project purpose – To develop and operate collocated offices for the RPD Goodman Section and Southeast NSC to better coordinate their neighborhood-based services at a site that is best situated for that purpose while promoting a more vibrant neighborhood by redeveloping a number of vacant parcels of land.
- C. Relocation assistance and compensation – In accordance with the City’s rules and regulations for relocation benefits approved in Resolution No. 2002-25, City staff will give occupants of the Acquisition Parcels fair notice and provide a \$1,000 moving allowance for each dwelling unit. In addition, for those occupants who request it, City staff will assist them to find comparable replacement housing before they are required to vacate.
- D. Project effect – The purchase of the Acquisition Parcels and the overall Project have been evaluated for potential significant adverse environmental effects on the environment pursuant to the State Environmental Quality Review Act (“SEQR”) and Chapter 48 of the Municipal Code.

Section 2. In the event that any of said Acquisition Parcels cannot be acquired by negotiation in accordance with Ordinance No. 2019- 5, the Corporation Counsel is hereby authorized to commence condemnation proceedings to acquire said parcel. In the event of condemnation, the following acquisition amounts set forth herein shall be the amount of each offer:

<u>Address</u>	<u>Acquisition Amount</u>
<u>1-5 Laura St.</u>	<u>\$50,000</u>
<u>4-6 Laura St.</u>	<u>\$85,000</u>
<u>7-9 Laura St.</u>	<u>\$60,000</u>
<u>8-8½ Laura St.</u>	<u>\$65,000</u>
<u>10 Laura St.</u>	<u>\$35,000</u>
<u>11-15 Laura St.</u>	<u>\$65,000</u>
<u>1214-1216 E. Main St.</u>	<u>\$ 8,000</u>
<u>1222 E. Main St.</u>	<u>\$ 8,000</u>
<u>1228-1230 E. Main St.</u>	<u>\$40,000</u>

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1252 E. Main St. \$ 7,000

Nothing in this ordinance shall be deemed to limit in any way the liability of the City for further claims arising from the acquisition of said parcel pursuant to the Eminent Domain Procedure Law.

Section 3. The acquisition amounts set forth herein plus associated costs for legal fees and title review, up to a total maximum sum of \$500,000, shall be funded from the proceeds of bonds authorized for the purpose and from Cash Capital in accordance with Ordinance Nos. 2019-5 and 2019-6.

Section ~~2~~4. This ordinance shall take effect immediately.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-82
Re: Lease Amendment - One Mt. Hope,
LLC a.k.a. Bivona Child Advocacy
Center

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing a lease amendment between the City and One Mt. Hope, LLC, (Deborah Rosen, President, 275 Lake Avenue, Rochester, NY) a.k.a. Bivona Child Advocacy Center, for the continued use of premises located at 1 Mount Hope Avenue, by the Rochester Police Department (RPD). The RPD leases space in 1 Mount Hope Avenue as one of several partner agencies of the Bivona Child Advocacy Center to investigate child abuse and neglect cases.

The current lease, authorized in February, 2016 through Ordinance No. 2016-57, has a term of three (3) years with one 3 year renewal. The leased space was 2,876 SF. The rate was \$28,759.92 annually, payable in monthly installments of \$2,399.66. The per square foot rate of \$10 per square foot as established by an appraisal prepared in January, 2016 by Kevin L. Bruckner of Bruckner, Tillett, Rossi, Cahill & Associates, Inc.

Rochester Police Department has requested the lease be amended to reduce the leased space to 2,250 square feet, and to change the current renewal from 3 years to three 1 year renewals. The annual base rent will reduce to \$23,175 annually, payable in monthly installments of \$1,931.25. The per square foot rate is \$10.30 and represents a 3% increase from \$10.00 per square foot as agreed to in the renewal clause from the January 2016 lease. The amended terms are effective as of January 1, 2019.

April 16, 2019

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-49

Ordinance No. 2019-82
(Int. No. 87)

Authorizing an amendatory lease agreement for the use of office space at 1 Mount Hope Avenue

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 One Mt. Hope LLC for the Rochester Police Department's lease of office space in the building located at 1 Mount Hope Avenue, which shall amend the lease authorized by Ordinance No. 2016-57 to reduce the leased space to approximately 2,250 square feet and change the renewal term from three years to three one year optional renewals.

Section 2. The amendatory lease agreement shall obligate the City to pay an annual base rent of \$23,175, commencing January 1, 2019, payable in monthly installments of \$1,931.25.

Section 3. The amendatory lease 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. 2019-83
Re: Acquisition – 1780 North Clinton Ave

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the purchase of a parcel of land at 1780 North Clinton Ave from Regional Transit Service Incorporated (William Carpenter, CEO, 1372 E. Main St, Rochester, NY). The acquisition will be funded through the RCSD Cash Capital Fund in accordance with RCSD Board Resolution No. 2018-19:532 as passed December 20, 2018.

The purpose of this acquisition is for expansion of the playfield at the Helen Barrett Montgomery School No.50 as part of the larger Rochester School Facilities Modernization Program.

April 16, 2019

The purchase price will be \$43,000.00, which is supported through an independent appraisal performed by Kevin L. Bruckner of Bruckner, Tillett, Rossi, Cahill & Associates, Inc. as of April, 2018.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-50

Ordinance No. 2019-83
(Int. No. 88)

Authorizing the acquisition of real estate for the Rochester City School District Facilities Modernization Program

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

Section 1. The Council hereby approves the acquisition of the following parcel to effectuate the Facilities Modernization Program of the Rochester City School District (RCSD) by expansion of the playfield at the Helen Barrett Montgomery School No. 50:

Property Address	Reputed Owner	SBL	Type	Purchase Price
1780 North Clinton Avenue	Regional Transit Service Incorporated	091.47-1-4	Parking Lot	\$43,000

Section 2. The costs of acquisition, including closing costs, shall be funded from the RCSD Cash Capital Fund in accordance with RCSD Board Resolution No. 2018-19:532.

Section 3. City taxes and other current-year charges against said parcel shall be canceled from the date of closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcels, shall also be canceled.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

April 16, 2019

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-84
Re: Amending the 2018-19 Consolidated
Community Development Plan / Annual
Action Plan – HOME Program Income
Funds – Housing Development Fund /
Affordable Housing Fund
Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation related to amending the 2018-19 Consolidated Community Development Plan / Annual Action Plan (Con. Plan). This legislation will:

1. Amend the 2018-19 Con Plan, Annual Action Plan to receive an additional \$380,800 in HOME program income, which shall be added to the plan's Housing Development Fund – Affordable Housing Fund allocation, through actions further described below:
 - a) Increasing the amount of HOME program income in the Expected Resources section from \$150,000, by \$380,800, to a new total of \$530,800; and
 - b) Increasing the amount of HOME funding in the Housing Development Fund – Affordable Housing Fund from \$1,254,810, by \$380,800, to a new total of \$1,635,610.

The City has received a larger amount of HOME program income than anticipated for 2018-19, through payments for various HOME funded activities. The proposed amendment to the Con. Plan is needed to be able to commit and appropriate the additional HOME program income funds toward one or more affordable housing projects.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-84
(Int. No. 89)

Amending the 2018-19 Consolidated Community Development Plan

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

Section 1. The Council hereby approves amending the Consolidated Community Development Plan – 2018-19 Annual Action Plan (Con Plan) as follows:

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- a) increasing the amount of HOME program income in the Expected Resources section by \$380,800, to a new total of \$530,800; and
- b) increasing the allocation to the Housing Development Fund – Affordable Housing by \$380,800, to a new total of \$1,635,610.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-85
 Re: Southeast Towers Rehabilitation
 Project

Council Priority: Rebuilding and Strengthening
 Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Southeast Towers (The Manhattan Tower and The Savannah) development project, an affordable-housing rehabilitation and preservation project being undertaken by Conifer Realty, LLC (Timothy Fournier, Chairman & CEO) in Center City.

This legislation will:

1. Authorize property tax exemptions and payment-in-lieu of taxes agreements for the Southeast Towers project, which will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs). The City’s PILOT Review Committee approved a 10% Shelter Rent PILOT for the project on March 7, 2019.
2. Appropriate a total of \$92,165.68 in Cash Capital to the Housing Revolving Loan Fund as follows: \$51,791.62 from 2015-16 Cash Capital and \$40,374.06 from 2018-19 Cash Capital.
3. Authorize a loan agreement in the amount of \$1,400,000 for a construction/permanent loan with Conifer Realty, LLC or an affiliated partnership or housing development fund corporation to be formed by Conifer, and appropriate the following amounts to fund the loan:

HOME funds from the Affordable Housing Fund allocation of the 2018-19 Housing Development Fund	\$1,019,610.00
Housing Revolving Loan Fund	380,390.00
TOTAL	\$1,400,000.00

The loan will serve initially as a 2% construction loan payable annually, then at conversion to permanent financing become a 30-year, 2% interest-only, cash-flow contingent loan payable annually with the principal payment and any unpaid accrued interest due at the end of the 30-year term. The City’s Loan Committee approved the \$1.4 million loan on March 20, 2019.

4. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein; and
5. Authorize the Director of Finance to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

Southeast Towers (SET) is a 376 unit affordable housing development located at 463 East Broad Street. Conifer Realty, LLC (Conifer) proposes the redevelopment of 336 units of affordable rental housing, and the demolition of 40 sub-standard units. The units will be targeted to households with incomes at or below 50% or 60% of the Area Median Income. SET is an existing Mitchell-Llama funded rental property built in the 1970's with two residential structures. The Manhattan Tower is a seventeen (17) story tower with 250 units, and the Savannah is an eight (8) story structure with 126 units. The site is located in Rochester's City-Center, and is adjacent to the Inner-Loop East Infill project.

At completion, Southeast Towers will have thirty-six (36) studio units, one-hundred sixty-four (164) one-bedroom units, one-hundred and twelve (112) two-bedroom units, and twenty-four (24) three-bedroom apartments. The projected work scope includes upgraded kitchens and bathrooms for all units, new plumbing throughout the building, asbestos abatement, new floors, roofs and window replacement, fresh paint, new elevators, a playground area and a fitness center, common area improvements, and exterior improvements including utility work and site-work redesign. The development team has included environmentally sustainable features including LED lighting, energy star appliances, water saving fixtures, and energy efficient windows.

The Southeast Towers project will complement significant development that has occurred in Center City in recent past and the planned work including the Inner-Loop East infill projects such as Union Square, Charlotte Square (I-III), and the Strong Museum Expansion. Southeast Towers will continue to provide affordable housing options for a range of incomes and household types within Rochester's downtown core. Conifer has been an active developer of affordable and market rate housing in the Greater Rochester area, and their recent work includes VOC Liberty Landing (under construction), The Hamilton & Erie Harbor, and Market Apartments at Corpus Christi.

The Development will continue to maintain its units as affordable for the duration of the PILOT. Conifer secured a rental subsidy for 267 units in 2018 by utilizing HUD's Rental Assistance Demonstration II (or RAD 2) conversion program. These units are primarily affordable to households earning at or below 50% to 60% of area median income (AMI), and households will never pay more than 30% of their income towards rent. If over-income households move out of a unit, a household earning under 50% AMI will move in. The remaining 69 units are occupied by tenants' with tenant based vouchers (vouchers that move with the family/tenant), and are affordable to households at or below 50% or 60% of AMI. If the tenant should move out, the unit will be rented to a household at or below 50% or 60% of AMI.

All utilities will be paid by the owner. This approximately \$120 million project (including \$30 million in existing, assumed debt) will be funded by 4% low-income housing tax credits, tax exempt bonds, New York State Housing Finance Agency subsidy, and developer equity. The project sources and uses are summarized below:

Permanent Sources		Uses	
Bonds (1 st Mortgage)	13,060,000	Acquisition	30,666,341
Assumed Mortgage	22,637,336	Construction Costs	53,274,568
HFA Acq. Loan (assumed)	8,029,005	Professional Services	4,301,750
HFA MPP Funds	33,458,490	Financing Costs	12,148,077
City of Rochester Loan	1,400,000	Carrying Costs	172,936
Income from Operations	3,558,992	Contingency	5,418,767
Tax Credit Equity	33,963,896	Reserves & Working Cap.	1,860,200
Deferred Developer Fee	3,219,829	Development Fee	11,219,992
	119,327,548		119,327,548

The project will meet the City’s Minority and Women Owned Business Enterprises (MWBE) and Workforce goals.

A State Environmental Quality Review (SEQR) is underway, and a Determination of Significance will be made prior to any Council action. A National Environmental Policy Act or NEPA review is underway and will be completed prior to entering into any agreements for the Southeast Towers project.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AS-51

Ordinance No. 2019-85
 (Int. No. 90)

Authorizing payment in lieu of taxes and loan agreements for the Southeast Towers Rehabilitation Project

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

Section 1. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT agreement) for the Southeast Towers Rehabilitation Project at 463 East Broad Street (SBL # 121.33-1-3.001) (the Project) with Conifer Realty, LLC or an affiliated partnership or housing development fund corporation to be formed by Conifer for the Project (collectively, the Developer). The PILOT agreement shall provide that the Project remain entitled to a real property tax exemption for 30 years, provided that the Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project’s annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs. Said agreement and the associated real property tax exemption shall cease prior to the end of the 30-year term if and when the Project is no longer operated for the purpose of providing affordable housing in substantial compliance with Article 11 of the NYS Private Housing Finance Law.

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Section 2. The Mayor is hereby authorized to enter into a loan agreement with the Developer for construction and permanent financing of the Project. The loan shall be in the amount of \$1,400,000, which shall be funded from the amounts appropriated in Section 4 herein. The loan agreement shall have a term that extends to 30 years following completion of Project construction. The loan shall function initially as a 2% construction loan with interest-only payments due annually until construction is complete, whereupon it shall convert to permanent financing with a term of 30 years that is subject to an annual interest rate of 2% that is payable annually, contingent on the Project having sufficient cash flow. The repayment of the loan principal and any unpaid interest shall be due at the end of the loan term. The Director of Finance is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to requirements for Project tax credits and other legal requirements.

Section 3. The sum of \$92,165.68 from the following sources is hereby appropriated to the Housing Revolving Loan Fund: \$51,791.62 from 2015-16 Cash Capital and \$40,374.06 from 2018-19 Cash Capital.

Section 4. The sum of \$1,400,000 from the following sources is hereby appropriated as principal for the Project loan authorized herein:

- a) \$1,019,610 from the Housing Development Fund - Affordable Housing Fund account in the Consolidated Community Development Plan/2018-19 Annual Action Plan; and
- b) \$380,390 from the Housing Revolving Loan Fund.

Section 5. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the agreements authorized herein.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1748
Re: High Falls Business
Improvement District

Transmitted herewith for your approval is legislation related to the High Falls Business Improvement District (BID) established via Local Law No.1 in December 2003. This legislation will:

- 1) Approve the 2019-20 Budget totaling \$25,000 submitted by the High Falls BID Board.
- 2) Establish \$25,000 as the 2019-20 assessment for the district and authorize the apportionment of the cost among the subject properties.
- 3) Authorize an agreement with the High Falls Business Improvement District Management Association, Inc. for implementation of the services outlined in the BID plan.

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The amount of the annual levy is determined by the budget proposed by the BID. The amount assessed to an individual property is determined by its primary use, which is verified annually. Funds are used for additional clean-up, beautification, landscaping, marketing, advertising, and promotional materials. Funds have also been used for special purposes such as historic signage and a lunchtime summer concert series produced in conjunction with the Hochstein School of Music.

The High Falls BID Plan outlines a description of the Business Improvement District Management Association boundaries, and the assessment formula used to determine each building owners' share. The plan is on file in the City Clerk's office.

A public hearing on the assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-52

Local Improvement Ordinance No. 1748
(Int. No. 91)

Local Improvement Ordinance - Establishing the cost of assessments related to the High Falls Business Improvement District and authorizing an agreement

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

Section 1. The Council hereby approves the continuation of the High Falls Business Improvement District. The 2019-20 Budget for the High Falls Business Improvement District is established at \$25,000, which amount shall be assessed and levied in accordance with Local Law No. 1 of 2004. The Mayor is hereby authorized to enter into an agreement with the High Falls Business Improvement District Management Association, Inc. for implementation of the services outlined in the District Plan.

Section 2. This ordinance shall take effect on July 1, 2019.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-86
Re: Loan to IL2 LLC for Project at 270 East
Avenue (also known as Inner Loop
Site 2)

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

Transmitted herewith for your approval is legislation appropriating funds and authorizing a loan agreement with IL2 LLC (the “Developer”). The Developer is an affiliate of Christa Construction LLC, located at 600 East Avenue, Suite 201, Rochester, NY 14607, and with principals David Christa and Lacey Katz. The loan amount is \$1,500,000 and will provide gap financing to assist the Developer with the new construction of property located at 270 East Avenue, Rochester, NY 14604. This legislation will:

- 1) Appropriate \$1,500,000 from the Housing Revolving Loan Fund (HRLF); and,
- 2) Authorize a loan agreement with the Developer in the amount of \$1,500,000. The loan will be financed from the HRLF.

This is a new parcel resulting from the assembly of land due to the Inner Loop East Transformation Project. City Council approved the sale of the parcel on June 20, 2017. When completed, the Developer’s project will offer one hundred three (103) residential units, approximately 12,000 square feet of commercial space, and a parking garage structure offering approximately one hundred forty (140) parking spaces.

The loan will be used as construction and permanent financing for costs associated only with the residential component of the project. The loan term is fifteen years and the interest rate is 3%. As a condition of the loan, 20% of the total number of residential units (21 units) shall be rented to households with incomes at or below 80% of the Area Median Income (AMI). The Developer will also abide by the City’s policy on Minority and Women-Owned Business Enterprise (MWBE) and workforce participation. The City’s MWBE goal is 30%, the workforce minority goal is 20%, the workforce female goal is 6.9%, and the City of Rochester resident workforce goal is 25%. The Developer anticipates the creation of two (2) full-time-equivalent (FTE) jobs and two (2) part-time jobs resulting from the residential component of this project in its first three years of operation.

The estimated sources and uses of funds for the project are as follows:

Sources		Uses	
CPC Loan	\$23,000,000	Land Acquisition	\$600,000
City of Rochester Loan	1,500,000	Hard Costs	22,610,000
Developer Equity	<u>\$ 3,467,897</u>	Soft Costs	<u>\$ 4,757,897</u>
Total	\$27,967,897	Total	\$27,967,897

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The City's Loan Review Committee approved this request for financial assistance at their March 20, 2019 meeting. The State Environmental Quality Review for the Inner Loop East Transformation Project included future development parameters. This project falls within those parameters, and is therefore covered by the Negative Declaration issued on December 23, 2013.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-53

Ordinance No. 2019-86
(Int. No. 92)

Authorizing a loan agreement with IL2 LLC

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

Section 1. The sum of \$1,500,000 is hereby appropriated from the Housing Revolving Loan Fund to provide gap financing for the development of the property located at 270 East Avenue (also known as Inner Loop East Site 2) (the Project).

Section 2. The Mayor is hereby authorized to enter into a loan agreement with IL2 LLC in the amount of \$1,500,000 to fund a portion of the costs of the residential component of the Project. The loan shall be funded from the amount appropriated in Section 1 herein, have a term of fifteen years, and have an annual interest rate of 3%. During the construction period loan repayments shall be interest-only payable monthly. Upon conversion to permanent financing, monthly repayments of principal and interest shall be amortized on a 30-year schedule. A balloon payment of the remainder of the loan principal and interest shall be due at the end of the loan term. As a condition of the loan, at least 20% of the Project's dwelling units shall be rented to households with incomes not exceeding 80% of the Area Median Income (AMI).

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

Section 4. The Mayor is hereby authorized to execute such other agreements and documents as may be necessary to effectuate the agreement authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

April 16, 2019

TO THE COUNCIL

Ladies and Gentlemen:

Re: Local Improvement No. 1749
South Avenue/Alexander Street Open
Space District Local Improvement
Ordinance (LIO) No. 1740

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Safety

Transmitted herewith for your approval is legislation establishing the amount of \$8,900 for maintenance of the South Avenue/Alexander Street Open Space District. Authorizing an agreement with South Wedge Area Neighborhood Council (SWANC) for \$8,900 each year for the next four years until June, 2022. The current LIO Ordinance No. 1740 re-established the District in 2018, for a term of ten years.

This assessment provides for maintenance of the landscaped open space at 62 Alexander Street including cutting grass, trimming shrubs, watering, weeding, trash pick-up and removal, lighting, and fall leaf clean-up. The cost for these services is based on estimates provided by the South Wedge Area Neighborhood Council (SWANC).

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-54

Local Improvement No. 1749
(Int. No. 93)

Local Improvement Ordinance – authorizing special work and services related to the South Avenue/Alexander Street Open Space District

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

Section 1. The cost of special work and services for the 2019-20 fiscal year for the South Avenue/Alexander Street Open Space District reestablished by Local Improvement Ordinance No. 1740 is established at \$8,900, which amount shall be assessed and billed on the 2019-20 tax bill as follows: apportioned among the properties based upon their assessed values and in relation to their proximity to the open space (without reduction for exemptions). Parcels in the Outer Tier of the district shall be charged at half the rate of the Inner Tier parcels. Any assessment not paid by its due date shall be a lien upon the property billed and a personal obligation of the property owner.

Section 2. The Council hereby finds that it would be impracticable to select a maintenance contractor through competitive bidding, designates the South Wedge Area Neighborhood Council, Inc. to

perform the special work and services, and authorizes the Mayor to enter into an agreement with said Association for this purpose.

Section 3. The agreement shall obligate the City to pay an amount not to exceed \$8,900, and said amount, or so much thereof as may be necessary, is hereby appropriated from the assessments authorized herein.

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

Section 5. This ordinance shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Local Improvement Ordinance No. 1750
East Avenue / Alexander Street
Entertainment District

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Public Safety

Transmitted herewith for your approval is legislation reauthorizing the district and establishing the amount of \$20,800 for special assessments for the East Avenue/Alexander Street Entertainment District.

This assessment provides for additional trash removal on Saturday and Sunday, from 3:00 AM to 5:00 AM, from April through October, to address trash resulting from the increased activity in the District during this period. The assessment covers the additional cost of these services and is apportioned among the properties within the district that cater to the patrons of the establishments (e.g., bars, restaurants and parking lots who profit from the patrons).

In 2019-20 the fixed fee for additional street cleaning services is determined by type of establishment and square footage as agreed upon by the entertainment establishments and property owners in the district. The total annual charge estimate determined by the Department of Environmental Services.

All affected properties have been examined and any change in use is reflected in the attached list of subject properties. The operating assessment is apportioned among properties based on type and function of their use, using the following schedule:

<u>Code</u>	<u>Use</u>	<u>Annual Charge</u>
1	Parking lot under 2500 Sq Ft	\$217
2	Parking Lot 2500-4999 Sq Ft	\$422
3	Parking Lot 5000-9999 Sq Ft	\$627
4	Parking Lot 10000 Sq Ft or more	\$855
5	Small Sit down Restaurant	\$217
6	Take out Restaurant/Smaller Bar	\$422

7 Large Bar/Sit Down Restaurant \$980

This assessment will be included on the annual tax bill of the affected properties. Residential properties with no entertainment venues or parking lots are not affected.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1750
(Int. No. 94)

Local Improvement Ordinance establishing the cost of special services for the East Avenue/Alexander Street Entertainment District

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

Section 1. The 2019 budget for upgraded street cleaning and trash removal services for the East Avenue/Alexander Street Entertainment District is established at \$20,800 and the charge per code shall be as set forth below, and said amount is hereby appropriated from the Special Assessments as set forth below and shall be assessed and levied on the 2019-20 tax bill in accordance with Local Improvement Ordinance No. 1631.

Code	Use	Annual Charge
1	Parking lot under 2500 Sq. Ft	\$217
2	Parking lot 2500-4999 Sq. Ft	\$422
3	Parking lot 5000-9999 Sq. Ft	\$627
4	Parking lot 10000 Sq. Ft or more	\$855
5	Small Sit Down Restaurant	\$217
6	Take Out Restaurant/Smaller Bar	\$422
7	Large Bar/Sit Down Restaurant	\$980

Section 2. This ordinance shall take effect on July 1, 2019.

Adopted unanimously.

TO THE COUNCIL

April 16, 2019

Ladies and Gentlemen:

Resolution No. 2019-6
Re: Appointments/Reappointments –
Zoning Board of Appeals

Transmitted herewith for your approval is legislation confirming the appointment of two full-time members and reappointment of five full-time members and one alternate to the Zoning Board of Appeals. All terms expire on May 31, 2020.

New full-time members:

<u>Name</u>	<u>Address</u>
James Best	55 Gorsline Street, Rochester, NY 14613
Cora Murphy	180 St. Paul Street #406, Rochester, NY 14604

Reappointing:

<u>Name</u>	<u>Address</u>
Tyrese Bryant	408 Ravenwood Ave, Rochester, NY 14619
Mimi Freund Tilton	25 Berkley St, Rochester, NY 14607
Joseph O'Donnell	150 Versaille Rd, Rochester, NY 14621
David Carr	473 Hudson Ave, Rochester, NY 14605
LaShana Boose	420 Clay Ave, Rochester, NY 14613

Alternate

<u>Name</u>	<u>Address</u>
Laurene Jennings	50 Charlotte St, Rochester, NY 14607

The current terms expired on May 31, 2018.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2019-6
(Int. No. 122)

Resolution approving appointments to the Zoning Board of Appeals

April 16, 2019

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

Section 1. The Council hereby approves the appointment of the following individuals to the Zoning Board of Appeals, each as a regular member for a term which shall expire on May 31, 2020:

Name	Address
James Best	55 Gorsline St, Rochester, NY 14613
Cora Murphy	180 St. Paul St #406, Rochester, NY 14604
Tyrese Bryant	408 Ravenwood Ave, Rochester, NY 14619
Mimi Freund Tilton	25 Berkeley St, Rochester, NY 14607
Joseph O'Donnell	150 Versailles Rd, Rochester, NY 14621
David Carr	473 Hudson Ave, Rochester, NY 14605
LaShana Boose	420 Clay Ave, Rochester, NY 14613

Section 2. The Council hereby approves the appointment of the following individual to the Zoning Board of Appeals, as an alternate member for a term which shall expire on May 31, 2020:

Name	Address
Laurene Jennings	50 Charlotte St, Rochester, NY 14607

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Evans
April 16, 2019

To the Council:

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

Int. No. 95	Authorizing an amendatory agreement and funding for the Brewery Line Trail
Int. No. 96	Authorizing an amendatory intermunicipal agreement for the Highland Park/Canalway Trail Improvements Project
Int. No. 97	Appropriating funds and authorizing an amendatory agreement for the Erie Harbor Enhancements Phase II project
Int. No. 98	Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$850,000 Bonds of said City to finance the costs of the Erie Harbor Enhancements Phase II project

- Int. No. 99 Appropriating Community Development Block Grant funds to infrastructure and playground improvements
- Int. No. 103 Authorizing funding and an agreement for the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacement project
- Int. No. 104 Authorizing an amendatory agreement and funding for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project
- Int. No. 105 Authorizing an agreement for the Chestnut Firehouse Engine 17 Kitchen Renovation and Exhaust Hood Replacement project
- Int. No. 106 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$246,000 Bonds of said City to finance the costs of the Chestnut Firehouse Engine 17 Kitchen Renovation and Exhaust Hood Replacement project
- Int. No. 107 Authorizing an agreement for Clinton-Baden Community Center renovations
- Int. No. 108 Authorizing agreements for materials testing services
- Int. No. 115 Authorizing an agreement for dredging services in the Genesee River

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

- Int. No. 100 Amending the Official Map
- Int. No. 101 Authorizing pavement width changes adjacent to Flower City School No. 54
- Int. No. 102 Amending the Official Map
- Int. No. 109 Local Improvement Ordinance – establishing the operation, installation and maintenance costs of street lighting special assessment districts
- Int. No. 110 Amending Local Improvement Ordinance No. 1413, as amended by Local Improvement Ordinance No. 1672, to remove 5 parcels in the Monroe Avenue I Street Lighting District
- Int. No. 111 Continuation of Local Improvement Ordinance No. 1422 relating to the Norton Street Urban Renewal District Street Lighting District
- Int. No. 112 Local Improvement Ordinance – care and embellishment of street malls for 2019-20
- Int. No. 113 Local Improvement Ordinance – establishing the operating and maintenance costs of special assessments for streetscape enhancements

April 16, 2019

Int. No. 114 Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District, **as amended**

Respectfully submitted,
Malik Evans
Mitch Gruber
Elaine M. Spaul
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-87
Re: Amendatory Agreement – Brewery
 Line Trail

Transmitted herewith for your approval is legislation:

1. Authorizing an amendatory agreement with McCord Landscape Architecture, PLLC (Douglas McCord, RLA – Principal), Penfield, NY for additional design and construction phase design services related to the Brewery Line Trail project. The original agreement, authorized in March, 2018 (Ord. No. 2018-63) established maximum compensation at \$80,000. The agreement shall extend until three (3) months after completion of a two (2) year guarantee inspection of the project. This amendment will increase the compensation by \$63,000 to a maximum total of \$143,000. This additional cost will be funded from \$13,000 Dormitory Authority of New York State grant funds sponsored by the honorable Senator Joseph Robach (Ord. No. 2018-063); and \$50,000 Prior Years' Cash Capital.
2. Authorizing the receipt and use of \$500,000 in New York State Department of Transportation that are funded by ROC the Riverway awarded by the Honorable Governor Andrew Cuomo.

The Brewery Line Trail project that was (authorized with Ord. No. 2018-63) runs between the Pont de Rennes bridge and the High Falls Overlook. The project includes improvements to the existing trail, trail furnishings, river railing, shoring the gorge edge, opening views by clearing scrub growth, and improve lighting in the area.

The additional Roc the Riverway funding will provide improved connection between the trail and park, park lighting, furnishings, landscaping, rain gardens, and parking lot improvements. Design for the original project began in fall of 2018 and the additional design work is ongoing and will be completed by the fall of 2019. Construction is anticipated in spring of 2020 with substantial completed in fall 2020. The added project scope will result in the creation and/or retention of the equivalent of 5.4 full-time jobs.

Respectfully submitted,

April 16, 2019

Lovely A. Warren
Mayor

Attachment No. AS-55

Ordinance No. 2019-87
(Int. No. 95)

Authorizing an amendatory agreement and funding for the Brewery Line Trail

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 McCord Landscape Architecture, PLLC to provide additional design and construction phase design services for the Brewery Line Trail project (the Project). The amendments shall increase the maximum compensation of the original agreement, which was authorized in Ordinance No. 2018-63, by \$63,000 to a new total of \$143,000 and shall extend the term of the agreement to 3 months after completion of a 2-year guarantee inspection of the Project.

Section 2. The amendatory compensation shall be funded in the amounts of \$13,000 from the Dormitory Authority of the State of New York grant authorized in Ordinance No. 2018-63 and \$50,000 from Prior Years' Cash Capital.

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

Section 4. The Council hereby authorizes the receipt and use of \$500,000 in ROC the Riverway grant funds from the New York State Department of Transportation, which are allocated to the Brewery Line Trail South project in Ordinance No. 2019-62, for the Project.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-88
Re: Amendatory Agreement – Highland
Park/Canalway Trail Improvement
Project

Transmitted herewith for your approval is legislation related to the Highland Park/Canalway Trail Improvements Project. This legislation will amend an existing inter-municipal agreement with the Town

April 16, 2019

of Brighton for additional design, construction and construction inspection services. The amendment will increase the maximum City share by \$203,000 to a total not to exceed share of \$387,440.

This federally funded project will construct a multi-use neighborhood connector trail between the Canalway Trail south of Westfall Road in the Town of Brighton, and the east bank of the Genesee River and trail at McLean Street. The trail will connect neighborhoods in the Town of Brighton and the City of Rochester to the Canalway Trail and Genesee Riverway Trail, providing local and statewide trail users access to adjacent parks and open space resources. The Town of Brighton is administering the federal grant, design, construction and inspection of the project.

The original inter-municipal agreement for \$7,920 was authorized August 2008 by Ordinance No. 2008-300. An amendatory agreement ~~decreasing~~ increasing the City's share of the project costs by \$6,600 to a total of \$14,520 was authorized May 2009 by Ordinance No. 2009-203. An amendatory agreement increasing the City's share of the project costs by \$158,980 to a total of \$173,500 was authorized April 2010 by Ordinance No. 2010-126. An amendatory agreement ~~increasing~~ decreasing the City's share of the project costs by \$6,200 to a total of \$167,300 was authorized October 2015 by Ordinance No. 2015-329. An amendatory agreement increasing the City's share of the project costs by \$17,140 to a total of \$184,440 was authorized December 2016 by Ordinance 2016-405.

The increase proposed by this legislation will be funded with \$18,776 from 2011-12 Cash Capital, \$141,750 from 2012-13 Cash Capital, \$19,554 from 2013-14 Cash Capital, and \$22,920 from 2014-15 Cash Capital.

Design and bid of project improvements is complete and award of the construction contract is pending. Construction is anticipated to begin spring 2019 with substantial completion in fall 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-56

Ordinance No. 2019-88
(Int. No. 96)

Authorizing an amendatory intermunicipal agreement for the Highland Park/Canalway Trail Improvements Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Town of Brighton to implement the Highland Park/Canalway Trail Improvements Project. The amendatory agreement shall increase the maximum compensation authorized in the original agreement by Ordinance No. 2008-300, and last amended by Ordinance No. 2016-405, by \$203,000 to a total maximum compensation of \$387,440 which amount shall be funded from \$18,776 from 2011-12 Cash Capital,

April 16, 2019

\$141,750 from 2012-13 Cash Capital, \$19,554 from 2013-14 Cash Capital, and \$22,920 from 2014-15 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. 2019-89

Ordinance No. 2019-90

Re: Amendatory Agreement – Erie Harbor
Enhancements Phase II

Transmitted herewith for your approval is legislation related to the Erie Harbor Enhancements Phase II project. This legislation will:

1. Appropriate \$2,000,000 in anticipated reimbursements from ROC the Riverway / Upstate Revitalization Initiative funding administered by New York State Department of State (NYS DOS) to fund a portion of the design, construction and construction inspection services for the Project; and,
2. Appropriate \$850,000 in anticipated reimbursements from NYSDOS to partially finance the construction and construction inspection services for the Project; and,
3. Authorize the issuance of bonds totaling \$850,000 and the appropriation of the proceeds thereof to fund a portion of the design, construction and construction inspection services for the Project; and
4. Establish \$370,000 as maximum compensation for an amendatory agreement with Stantec Consulting Services, Inc. (James R. Hofmann, PE, Principal), Rochester, NY 14614, for additional design services for the project.

Stantec Consulting Services Inc. was selected through a request for proposal process to complete master planning and preliminary and detailed design documentation of park and trail improvements. Bid documentation, bid and award and construction phase design services were not included because there were no construction funds available. The initial agreement was authorized in May 2017 (Ord. No. 2017-136) for maximum compensation of \$200,000.

Subsequent to the execution of the design agreement, the City applied for and received a Local Waterfront Revitalization Program grant through NYSDOS to partially fund construction and inspection - \$850,000 NYSDOS grant funds and \$283,334 matching City funds (bonds appropriated herein). The project was also awarded \$2,000,000 ROC the Riverway / Upstate Revitalization Initiative funding

April 16, 2019

awarded by the Honorable Governor Andrew Cuomo. The RTR/URI grant will be administered by NYSDOS and will fund design, construction and construction inspection (Ordinance No. 2019-62 – Genesee Gateway Park). The additional design fees are commensurate with the effort required to design to the new project scope and budget.

The term of the original design only agreement was for termination six months after completion and acceptance of the project. With the addition of Construction Phase Design Services the term of the agreement shall change to termination six (6) months after completion and acceptance of the construction of the Project designated herein. In the event that the Project construction is not undertaken, the Agreement shall terminate one year after the completion of the contract documents by the Consultant and the acceptance by the City of such contract documents.

The cost of the agreement will be financed as follows:

<u>Source</u>	<u>Amount</u>
2016-17 NYSDOS (Ord. No. 2017-136)	\$ 100,000
2016-17 Cash Capital (Ord. No. 2017-136)	100,000
<u>RTR/URI/NYSDOS appropriated herein</u>	<u>370,000</u>
TOTAL	\$ 570,000

The Erie Harbor Enhancements Phase II project will include the rehabilitation of Genesee Gateway Park and the Genesee Riverway Trail within the project area to provide sightlines and access to the waterfront and trail system, and public recreational use of the parkland. The Consultant will provide preliminary and final design of improvements through contract documentation and construction phase design services.

The additional ROC the Riverway funding will allow for the detailed design and construction of a greater portion of the proposed master plan improvements with an emphasis on hand carried boat launch / landing and waterside access for water taxi service and personal motorized watercraft.

Design of park improvements is ongoing and anticipated to be complete in summer 2020. Construction is anticipated to begin in fall 2020 with substantial completion by fall 2021.

This amendatory agreement and construction and construction inspection funds will result in the creation of 40.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-57

Ordinance No. 2019-89
(Int. No. 97)

April 16, 2019

Appropriating funds and authorizing an amendatory agreement for the Erie Harbor Enhancements Phase II project

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

Section 1. The sum of \$2,000,000 in anticipated reimbursements from the ROC the Riverway/Upstate Revitalization Initiative administered by the New York State Department of State authorized by Ordinance No. 2019-62 is hereby appropriated to fund a portion of the design, construction and construction inspection services for the Erie Harbor Enhancements Phase II Project (the Project).

Section 2. The sum of \$850,000 in anticipated reimbursements from the New York State Department of State is hereby appropriated to fund a portion of the construction and construction inspection services for the Project.

Section 3. The Mayor is hereby authorized to enter into an amendatory agreement with Stantec Consulting Services Inc. for additional design services for the Project. The amendment shall increase the maximum annual compensation of the original agreement, which was authorized by Ordinance No. 2017-136, by \$370,000 to a total compensation of \$570,000. The amendatory amount shall be funded from the appropriation in Section 1 herein. The term of the amendatory agreement shall be six months after completion and acceptance of the construction of the Project. In the event construction is not undertaken, the amendatory agreement shall terminate one year after the completion of the contract documents by the Consultant and the acceptance by the City of such contract documents.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2019-90
(Int. No. 98)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$850,000 Bonds of said City to finance the costs of the Erie Harbor Enhancements Phase II project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to partially finance the costs of construction and construction inspection services for the Erie Harbor Enhancements Phase II project which includes rehabilitation of Genesee Gateway Park and the Genesee Riverway Trail to provide sightlines and access to the waterfront and trail system, and public recreational use of the parkland on the east side of the Genesee River between Ford Street and the Spectrum Cable LLC property (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,900,000. The plan of financing includes the issuance of \$850,000 bonds of the City to finance a portion

of said appropriation, \$2,000,000 in ROC the Riverway/Upstate Revitalization funding administered by the New York State Department of State, \$850,000 in anticipated reimbursements from the New York State Department of State, \$100,000 in anticipated reimbursements from the New York State Department of State appropriated in Ordinance No. 2017-136, \$100,000 in 2016-17 Cash Capital appropriated in Ordinance No. 2017-136 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 \$850,000 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 or grants to be received from the State of New York, pursuant to this Ordinance, in the amount of \$3,900,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 3. of the Law, is thirty (30) years.

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-91
Re: Appropriation – Community
Development Block Grant,
Infrastructure and Playground
Improvements

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the appropriation of \$300,000 of 2017-18 and \$616,588 of 2018-19 Community Development Block Grant (CDBG) funds from the DRYS Infrastructure – Play Apparatus allocation of the General Community Needs Fund of the Community Development Plan.

The CDBG will fund infrastructure and playground improvements and related RPR services at various locations including, but not limited to, the 4th and Peck Playground, Tacoma Park Playground, and Don Samuel Torres Park.

Site	Proposed improvements
4 th and Peck Playground	Replace single water spray feature and safety surface replacement.
Tacoma Park Playground	Replace playground with tot and preteen playsets
Don Samuel Torres Park	Replace basketball court, enhance baseball field, shade trees

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Construction for 4th and Peck Playground and Tacoma Park Playground is planned to begin in summer 2019 with planned completion in fall 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-58

Ordinance No. 2019-91
(Int. No. 99)

Appropriating Community Development Block Grant funds to infrastructure and playground improvements

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

Section 1. The Council hereby appropriates \$916,588 in Community Development Block Grant (CDBG) funds to fund infrastructure and playground improvements at various locations including but not limited to the 4th Street and Peck Street Park playground, the Tacoma Park playground and Don Samuel Torres Park. The CDBG funds appropriated herein shall be comprised of \$300,000 from the DRYS Infrastructure – Play Apparatus allocation of the Consolidated Community Development Plan/2017-18 Annual Action Plan and \$616,588 from the DRYS Infrastructure – Play Apparatus allocation of the Consolidated Community Development Plan/2018-19 Annual Action Plan.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-92
Re: Official Map Amendment – Dedication of
47 Waverly Place for Additional Van
Auker Street Right-of-Way

Transmitted herewith for your approval is legislation which will amend the Official Map by dedicating the following parcel as public rights-of-way for street purposes. Dedicate the 0.1 ac +/- parcel designated as 47 Waverly Place as Van Auker Street right-of-way to provide legal access to landlocked parcels at 105 and 101 VanAuker Street.

April 16, 2019

Address	SBL#	Type	Sq.Ft.
47 Waverly Place	121.370-01-042	City Parcel	1,200

The City Planning Commission, in its February 11, 2019 meeting recommended approval of this dedication by a vote of 7-0-0. Minutes of that meeting, along with the application, are attached.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-59

Ordinance No. 2019-92
(Int. No. 100)

Amending the Official Map

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

Section 1. Chapter 76 of the Municipal Code, Official Map, is hereby further amended by dedicating the following City parcel as public right-of-way for street purposes:

Address	SBL#	Type	Sq. Ft.
47 Waverly Place	121.370-01-042	City Parcel	1,200

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-93
Re: Geometric Changes- 36 Otis Street/
The Flower City School No. 54

Transmitted herewith for your approval is legislation authorizing a decrease in pavement width on Otis Street from a point 108.5 feet west of Sherman Street to a point 243 feet west of Sherman Street, a distance of 134'-6", the street pavement width narrows from 33'-7" to a width of 26 feet. Also, on Sherman Street, from a point 61'-6" north of Otis Street to a point 144'-6" north of Otis Street, a distance of 83 feet, the street pavement width narrows from 36'-2" to a width of 26 feet. Also on Sherman Street from a point 144'-6" north of Otis Street to a point 270 feet north of Otis Street, a distance of 125'-6", the pavement width narrows from a width of 35'-9" to a width of 34 feet.

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The pavement width changes were requested by the City School District to improve bus access from Sherman Street and Otis Street and to increase sidewalk width on Sherman Street. Bus loading and unloading will take place off street.

In addition to the pavement width changes, this project includes curb and sidewalk replacement where the pavement width changes occur. The project is being designed by EDRPRC Consultants (Jo Anne C. Gagliano, President) for the District.

Design of the project is complete; construction will begin in June 2019 with completion in August 2020. No additional right-of-way is required to accommodate the changes in pavement width. The pavement width changes were endorsed at the March 5, 2019 Traffic Control Board meeting.

A public meeting on the pavement width was held on February 11, 2019. Meeting minutes are attached.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal is an unlisted Action requiring no further environmental review.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-60

Ordinance No. 2019-93
(Int. No. 101)

Authorizing pavement width changes adjacent to Flower City School No. 54

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

Section 1. Council hereby approves the following pavement width changes related to bus access and sidewalk improvements at the Flower City School No. 54 at 36 Otis Street:

- a) on Otis Street, a decrease of 7 feet, 7 inches, from 33 feet, 7 inches to 26 feet, beginning at a point 108 feet, 6 inches west of Sherman Street and extending westward a distance of 134 feet, 6 inches to a point 243 feet west of Sherman Street;
- b) on Sherman Street, a decrease of 10 feet, 2 inches, from 36 feet, 2 inches to 26 feet, beginning at a point 61 feet, 6 inches north of Otis Street and extending

April 16, 2019

northward a distance of 83 feet to a point 144 feet, 6 inches north of Otis Street;
and

- c) also on Sherman Street, a decrease of 1 foot, 9 inches, from 35 feet, 9 inches to 34 feet, beginning at a point 144 feet, 6 inches north of Otis Street and extending northward a distance of 125 feet, 6 inches to a point 270 feet north of Otis Street.

Section 2. The changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-94
 Re: Official Map Amendment – Dedication
 of City of Rochester Parcels on Boxart
 Street for Right-of-Way Purposes

Transmitted herewith for your approval is legislation which will amend the Official Map by dedicating the following parcels as public rights-of-way for street purposes. This amendment will provide currently land locked parcels with right-of-way access. The 0.35 ac +/- parcel at 202 Boxart Street is being dedicated as right-of-way to provide legal access to the landlocked parcel at 240 Boxart Street which is being developed. 340 Boxart Street, 0.1 ac +/-, and 120 Boxart Street, 0.04 ac +/-, are being dedicated as right-of-way to provide a consistent right-of-way width along Boxart Street.

<u>Address</u>	<u>SBL#</u>	<u>Type</u>	<u>Sq. Ft.</u>
98 Boxart Street	060.76-2-2	Vacant Industrial Land	4,172
120 Boxart Street	060.76-2-7	Vacant Industrial Land	1,742
202 Boxart Street	061.69-1-2	Vacant Commercial Land	14,470
304 Boxart Street (portion)	061.69-1-8	Vacant Industrial Land	825
330 Boxart Street	061.69-1-7	Vacant Industrial Land	3,763

The City Planning Commission, in its February 11, 2019 meeting recommended approval of this dedication by a vote of 7-0-0. Minutes of that meeting, along with the application, are attached.

A public hearing is required.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AS-61

Ordinance No. 2019-94
(Int. No. 102)

Amending the Official Map

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

Section 1. Chapter 76 of the Municipal Code, Official Map, is hereby further amended by dedicating the following parcels as public rights-of-way:

Address	SBL#	Type	Sq. Ft.
98 Boxart Street	060.76-2-2	Vacant Industrial Land	4,172
120 Boxart Street	060.76-2-7	Vacant Industrial Land	1,742
202 Boxart Street	061.69-1-2	Vacant Commercial Land	14,470
304 Boxart Street	061.69-1-8	Vacant Industrial Land	825
330 Boxart Street	061.69-1-7	Vacant Industrial Land	3,763

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-95
Re: Agreement – LaBella Associates,
D.P.C. Joseph A. Floreano Rochester
Riverside Convention Center
Escalator Replacements

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacements. This legislation will:

1. Appropriate \$1,500,000 funding administered by New York State Empire State Development (ESD).

April 16, 2019

2. Establish \$800,000 as maximum compensation for a professional services agreement with LaBella Associates, D.P.C. (Sergio Esteban, Chief Executive Officer) 300 State Street, Rochester, NY for design services. The cost of the agreement will be financed from ESD funds appropriated herein.

The Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacement project includes investigation and verification of existing conditions at the escalator locations, research of available escalator systems, design and creation of bid documents, and construction oversight for escalator replacements. The project will be sequenced in phases that are coordinated directly with Rochester Riverside Convention Center leadership such that operations will continue throughout all replacements.

LaBella Associates, D.P.C. was selected for design services through a request for proposal process, which is described in the attached summary. The agreement shall extend until three (3) months after completion of a two (2) year guarantee inspection of the project.

Design phase services will begin in spring 2019 with scheduled completion in fall 2019. Construction will begin in summer 2020 and due to the impact on convention center activities will be phased over multiple construction seasons. The project will result in the creation and/or retention of the equivalent of 25.0 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-62

Ordinance No. 2019-95
(Int. No. 103)

Authorizing funding and an agreement for the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacement project

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

Section 1. The sum of \$1,500,000 in anticipated reimbursements from New York State Empire State Development (ESD) to be received in accordance with the Consolidated Funding Application authorized by Ordinance No. 2015-179 is hereby appropriated for the Joseph A. Floreano Rochester Riverside Convention Center Escalator Replacement project (the Project).

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates, D.P.C. in the maximum amount of \$800,000 for design and construction administration services for the Project. Said amount shall be funded from the ESD funds appropriated herein. The term of the agreement shall continue to 3 months after completion of a two-year guarantee inspection of the Project.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-96
Re: Amendatory Agreement – T.Y. Lin
International Engineering &
Architecture, P.C., Charles Carroll
Plaza and Genesee Crossroads Parking
Garage Roof Slab Reconstruction
Project

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

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

1. Authorize an amendatory agreement with T.Y. Lin International Engineering & Architecture, P.C., (T.Y. Lin) 255 East Avenue, Rochester, (Robert J. Radley, Chief Executive Officer), for additional planning, engineering and landscape architectural design services. The original agreement with T.Y. Lin was authorized in March 2015 for a maximum compensation of \$700,000 by City Council Ordinance No. 2015-71. An amendatory agreement increasing the maximum compensation by \$400,000 from anticipated reimbursements from the New York State Department of State (NYS DOS) was authorized in December, 2016 by Ordinance No. 2016-404. This amendment will increase the compensation by \$1,100,000 to a maximum total of \$2,200,000. The term of the amendatory agreement shall extend until three (3) months after completion of a two-year guarantee inspection of the project. The cost of the agreement will be financed as follows:

<u>Source</u>	<u>Amount</u>
2012-13 Cash Capital	\$ 250,000
2013-14 Parking Cash Capital	300,000
2014-15 Parking Cash Capital	150,000
NYS DOS Funding per Ord. 16-404	400,000
URI / NYSDOS Funding Award	<u>1,100,000</u>
TOTAL	\$ 2,200,000

2. Appropriate \$1,100,000 of awarded funding from Upstate Revitalization Initiative (URI), administered by the New York State Department of State (NYS DOS), to finance a portion of the project.

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Charles Carroll Plaza is located on the west side of the Genesee River between Main Street and Andrews Street. Much of the plaza is built on top of the Crossroads Parking Garage roof, which is deteriorated and requires waterproofing and structural repairs. The project includes the removal of the plaza to perform structural repairs to the garage roof slab underneath, replace the slab waterproofing system, and the redesign and construction of a new plaza, creating a more natural, flowing space with ADA accessible connections serving as a critical link in the Riverway Trail system. The project will provide new park amenities, lighting and landscaping, and space for programmed activities. The project will also upgrade the existing Sister Cities Bridge, making it ADA-compliant and bicycle-friendly. The estimated overall cost of the project is \$21 million. \$16 million of this project will be funded by Roc the Riverway funds awarded by the Honorable Governor Andrew Cuomo.

Planning, engineering inspections, conceptual design and public outreach began in early 2015. Preliminary and final design is underway. It is anticipated that construction of the project will begin in early 2020 with scheduled completion in late 2022. This amendment and the grant will result in the creation and/or retention of the equivalent of 173.9 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-63

Ordinance No. 2019-96
(Int. No. 104)

Authorizing an amendatory agreement and funding for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with T.Y. Lin International Engineering & Architecture, P.C. to provide additional planning, engineering and landscape architecture design services for the Charles Carroll Plaza and Genesee Crossroads Parking Garage Roof Slab Reconstruction project (the Project). The amendments shall increase the maximum compensation of the original agreement, which was authorized in Ordinance No. 2015-71 and amended in Ordinance No. 2016-404, by \$1,100,000 to a new total of \$2,200,000 and shall extend the term of the agreement to 3 months after completion of a 2-year guarantee inspection of the Project.

Section 2. The Council hereby appropriates \$1,100,000 to fund the compensation for the amendatory agreement from a portion of the \$16,000,000 in ROC the Riverway grant funds from the New York State Department of State allocated to the Riverway Main to Andrews West project in Ordinance No. 2019-62.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-97

Ordinance No. 2019-98

Re: Agreement – LaBella Associates,
D.P.C. Chestnut Firehouse Engine 17
Kitchen Renovation and Exhaust Hood
Replacement

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation related to the Chestnut Firehouse Engine 17 Kitchen Renovation and Exhaust Hood Replacement project. This legislation will:

1. Establish \$53,000 as maximum compensation for a professional services agreement with LaBella Associates, D.P.C. (Sergio Esteban, Principal) 300 State Street, Suite 201, Rochester, NY for design and construction administration services. The cost of the agreement will be financed from bonds to be issued herein; and
2. Authorize the issuance of bonds totaling \$246,000 and the appropriation of the proceeds thereof to finance the Project.

This project includes replacement of cabinets, countertops and flooring, as well as installation of a code compliant exhaust hood and fire suppression system for the Engine 17 kitchen specifically. The estimated total cost of the project is \$246,000.

LaBella Associates, D.P.C. was selected for design services through a request for proposal process, which is described in the attached summary. The agreement shall extend until three (3) months after completion of a two (2) year guarantee inspection of the project.

Design phase services will begin in spring 2019 and construction will begin in summer 2020. The project will result in the creation and/or retention of the equivalent of 2.67 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

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Attachment No. AS-64

Ordinance No. 2019-97
(Int. No. 105)

Authorizing an agreement for the Chestnut Firehouse Engine 17 Kitchen Renovation and Exhaust Hood Replacement project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates, D.P.C. in the maximum amount of \$53,000 for design and construction administration services for the Chestnut Firehouse Engine 17 Kitchen Renovation and Exhaust Hood Replacement project (the Project). Said amount shall be funded from the proceeds of bonds to be authorized and appropriated for the Project. The term of the agreement shall continue to 3 months after completion of a two-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2019-98
(Int. No. 106)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$246,000 Bonds of said City to finance the costs of the Chestnut Firehouse Engine 17 Kitchen Renovation and Exhaust Hood Replacement project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of design and construction administration services for the Chestnut Firehouse Engine 17 Kitchen Renovation and Exhaust Hood Replacement project which include the costs of the replacement of cabinets, countertops and flooring, and installation of a code compliant exhaust hood and fire suppression system at the Engine 17 kitchen located on Chestnut Street (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$246,000. The plan of financing includes the issuance of \$246,000 bonds of the City to finance this appropriation and the levy and collection of taxes on all the

taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$246,000 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 \$246,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 13. of the Law, is ten (10) years.

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-99

Re: Agreement – Passero Associates,
D.P.C. Clinton-Baden Community
Center Renovations

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

Transmitted herewith for your approval is legislation related to Clinton Baden Community Center Renovations. This legislation will:

1. Establish \$175,000.00 as maximum compensation for a professional services agreement with Passero Associates, Engineering, Architecture & Surveying, D.P.C. (Joseph Caruso, President), 242 West Main Street, Suite 100, Rochester, NY, 14614 for Resident Project Representation (RPR) services. The cost of the agreement will be financed from 2016-17 Cash Capital allocations from the Department of Environmental Services Budget:

The Rochester City School District (RCSD) will bid, fund and administer a contract entitled "Renovations to Clinton-Baden Community Center & School #9" (RCSD Project). The RCSD Project will include renovations to School No. 9 and to facilities at the City's adjacent Clinton-Baden Community Center.

Work in the Clinton-Baden Community Center portion of the RCSD Project includes, but is not limited to: relocating and moving personal and equipment, asbestos abatement, roofing system removal and replacement, locker room & toilet room demolition and reconstruction, pool resurfacing with concrete deck repairs, tile flooring removals and replacement as well as millwork removals and replacement, ceiling removal & replacement with new lighting and diffusers, electrical panelboard replacement, removal and replacement of doors & windows. RPR services under this agreement will be for observation only of work related to the Clinton-Baden Community Center portion of the RCSD Project

Passero Associates was selected for RPR services through a request for proposal process, which is described in the attached summary. The agreement shall extend until three (3) months after completion of a one (1) year guarantee inspection of the project.

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RPR services will begin in summer 2019 with scheduled completion in fall 2019. The project will result in the creation and/or retention of the equivalent of 2.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-65

Ordinance No. 2019-99
(Int. No.107)

Authorizing an agreement for Clinton-Baden Community Center renovations

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Passero Associates, Engineering, Architecture & Surveying, D.P.C. in the maximum amount of \$175,000 to provide resident project representation services for renovations to the Clinton-Baden Community Center (the Project). Said amount shall be funded from 2016-17 Cash Capital. The term of the agreement shall run to 3 months after completion of a one year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-100
Re: Material Testing - Term Agreements

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

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for services related to the testing and analysis of various construction materials:

<u>Company</u>	<u>Address</u>	<u>Principal</u>	<u>Specialty</u>
Atlantic Testing Laboratories, Limited	Roch 14623	Marijean Remington	All Testing
Labella Associates, D.P.C.	Roch 14614	Sergio Esteban	Environmental
Lozier Environmental Consulting, Inc.	Roch 14609	Jeanne DeNike	Environmental

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Paradigm Environmental Services, Inc.	Roch 14608	James Magee Jr.	Environmental
Terracon Consultants – NY, Inc.	Roch 14624	Chuck Guzzetta	All Testing

Testing services include: sampling and testing of soils, asbestos, asphalt, concrete, masonry, structural steel and road base materials and exploratory drilling. Such tests are routinely required by the Bureau of Architecture and Engineering for street, bridge, and building renovation projects.

When tests are necessary, one or more of these companies will be utilized. The selection of a specific company will depend upon the type of test required, the company's skill set, and its ability to accommodate the City's schedule. The volume of tests will depend upon the number of construction projects that are authorized. The cost of the tests will be based on the unit prices specified in the company's proposal.

The previous agreements for testing services were authorized by the City Council in March 2017. In anticipation of the expiration of these agreements, the Department of Environmental Services Solicited proposals for these services. Five firms were recommended for testing services through a request for proposal process, which is described in the attached summary. Each of the agreements will have a term of two years. Adjustment of the specified unit prices during the second year will be permitted but will be subject to approval by the City Engineer.

The costs of the testing will be financed from the annual budgets of the Department of Environmental Services or the department using the services, and as necessary from capital funds appropriated for specific construction projects.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AS-66

Ordinance No. 2019-100
(Int. No. 108)

Authorizing agreements for materials testing services

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for the testing of various construction materials as required by the City:

Company	Address
Atlantic Testing Laboratories, Limited	Rochester, NY 14623
LaBella Associates, D.P.C.	Rochester, NY 14614
Lozier Environmental Consulting, Inc.	Rochester, NY 14609

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Paradigm Environmental Services, Inc. Rochester, NY 14608
Terracon Consultants – NY, Inc. Rochester, NY 14624

Section 2. Each agreement shall have a term of two years. Each agreement shall provide for a test to be performed on an as needed basis and shall establish a unit price to be paid for a particular test. The unit price may be adjusted during the second year with the approval of the City Engineer. The cost of said agreements shall be funded from the annual budgets of the Department of Environmental Services and of the departments using the services, or from the capital funds appropriated for specific construction projects, contingent upon adoption thereof.

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:

Local Improvement Ordinance No. 1751
Local Improvement Ordinance No. 1752
Local Improvement Ordinance No. 1753
Re: Local Improvement Ordinance –
Street Lighting Enhancement Special
Assessment Districts

Council Priority: Public Safety; Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing the 2019-20 budgets for street lighting enhancement special assessment districts. The districts and assessments are as follows:

Local Imp. Ord.	District	2019-20	2018-19	Variance	Capital/Operating	Type
1547	Wilson Boulevard	\$563.71	\$534.08	\$29.33	Operating	Street lighting

1413	Monroe I	\$1,265.73	\$1,290.57	(\$24.84)	Operating	Street lighting
1412	Monroe II	\$627.62	\$599.43	\$28.19	Operating	Street lighting
1429	Cascade Historic	\$1,562.58	\$1,543.03	\$19.55	Operating	Street lighting
1601	Norton Street URD	\$1,377.07	\$1,327.34	\$49.73	Operating	Street lighting
1472	Lake Avenue	\$4,068.34	\$3,895.94	\$172.40	Operating	Street lighting
1552	St. Paul Street	\$528.76	\$503.29	\$25.47	Operating	Street lighting
1627	East Main Street	\$325.18	\$308.48	\$16.70	Operating	Street lighting
1658	Browncroft Neighborhood	\$9,508.99	\$9,508.99	\$-0-	Capital	Street lighting
1677	Cobbs Hill/Nunda Neighborhood	\$8,449.38	\$8,449.38	\$-0-	Capital	Street lighting

The history and purpose of each district are described in the attached summary.

Five parcels are to be removed from the Monroe I district corresponding to four lights removed in conjunction with the Inner Loop Transformation Project.

SBL	Street Address	Front Footage
12140000020090000000	147 MONROE AV	63.62
12140000020100000000	155 MONROE AV	52
12140000020110000000	161 MONROE AV	52
12140000020120010000	158 MONROE AV	150
12140000020140000000	165 MONROE AV	33

A public hearing on removing the five parcels from the Monroe I district, and renewing the Norton district and the assessments for all the districts is required.

Respectfully submitted,
 Lovely A. Warren

Mayor

Attachment No. AS-67

Local Improvement Ordinance No. 1751
(Int. No. 109)

Local Improvement Ordinance - establishing the operation, installation and maintenance costs of street lighting special assessment districts

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the applicable local improvement ordinances (LIOs) for the operation, installation and maintenance of special assessment districts for street lighting enhancements during the 2019-20 fiscal year:

District	2019-20 Budget	LIO No.	Renewed LIO No.
Wilson Boulevard	\$ 563.71	1374	1724
Lyell Avenue I	\$ 0.00	1340	1725
Lyell Avenue II	\$ 0.00	1377	1726
Monroe I	\$1,265.73	1413	1672
Monroe II	\$ 627.62	1412	1671
Cascade Historic	\$1,562.58	1429	1727
Norton Street URD	\$1,377.07	1422	1601
Lake Avenue	\$4,068.34	1472	1697
St. Paul Street	\$ 528.76	1552	1696
East Main Street	\$ 325.18	1627	NA
Browncroft Neighborhood	\$9,508.99	1658	1712
Cobbs Hill/Nunda Neighborhood	\$8,449.38	1677	NA

Section 2. This ordinance shall take effect on July 1, 2019.

Adopted unanimously.

Local Improvement Ordinance No. 1752
(Int. No. 110)

Amending Local Improvement Ordinance No. 1413, as amended by Local Improvement Ordinance No. 1672, to remove 5 parcels in the Monroe Avenue I Street Lighting District.

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

Section 1. The Monroe Avenue I Street Lighting District, which was established in 1998 by Local Improvement Ordinance No. 1413 and extended for an additional term of 10 years in 2013 by Local

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Improvement Ordinance No. 1672, is hereby amended to remove the following 5 parcels from said District and the special assessments therefor:

SBL No.	Street Address	Front Footage (in feet)
12140000020090000000	147 MONROE AV	63.62
12140000020100000000	155 MONROE AV	52
12140000020110000000	161 MONROE AV	52
12140000020120010000	158 MONROE AV	150
12140000020140000000	165 MONROE AV	33

Section 2. This ordinance shall take effect on July 1, 2019.

Adopted unanimously.

Local Improvement Ordinance No. 1753
(Int. No. 111)

Continuation of Local Improvement Ordinance No. 1422 relating to the Norton Street Urban Renewal District Street Lighting District

WHEREAS, by Local Improvement Ordinance No. 1422, the City authorized the levying of local improvement assessments to fund the cost of special work and services related to the Norton Street Urban Renewal District Street Lighting District (the District);

WHEREAS, by Local Improvement Ordinance No. 1601 adopted in 2009, the City authorized the continuation of said District for an additional period of ten years extending through June 30, 2019; and

WHEREAS, the Council desires to continue said District for an additional period of ten years.

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

Section 1. Local Improvement Ordinance No. 1422 as extended by Local Improvement Ordinance No. 1601, relating to the levying of local improvement assessments to fund the cost of special work and services related to the Norton Street Urban Renewal District Street Lighting District, is hereby re-enacted for an additional period of ten years, commencing on July 1, 2019.

Section 2. This ordinance shall take effect on July 1, 2019.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1754
Re: Care and Embellishment of Street Malls

Transmitted herewith for your approval is legislation authorizing the care and embellishment of street malls during 2019-20 and the assessment of the associated costs of \$35,411.00 among the benefitted properties.

Each street mall budget is prepared by a street mall association and is based on actual costs from the previous year and planned maintenance and improvements. Budget items may include: plants (ranging from annual flowering plants to trees and shrubs), mulch, water, grass seed, repair or replacement of decorative signage and spring and fall cleanup. Budgets are reviewed at a neighborhood meeting. Meeting notices are sent by the City to the owners of all affected properties.

The malls and associated budgets are summarized below:

Street Mall	Budget 2019-20	LIO 1743 2018-19	Variance	Reason for Variance
Arnold Park	2,800.00	2,450.00	350.00	Budgeted amounts are the same. Using funds from prior year.
Hazelwood Terrace	400.00	600.00	-200	Budgeted amounts are the same. Using surplus from prior year.
Hillside Avenue	6,000.00	1,500.00	4,500.00	Budgeted amounts are the same. In prior year used surplus. Will be adding flowers and plants.
Huntington Park	4,000.00	3,600.00	400.00	The Association leader has decided to step down. There will be a new Association leader. Small budget increase.
Lafayette Park	3,182.00	3,689.00	-507.00	Budgeted amounts are the same. Less cost for contingency fees on Neighborhood Association Incorporation.
Nunda Boulevard	7,195.00	7,155.00	40.00	Increased budget amounts for lawn care, mowing, raking. Using funds from prior year.
Oxford Street	9,429.00	11,050.00	-1621.00	Budgeted amounts are the same. Using funds from prior year.
Sibley Place	2,405.00	1,600.00	805.00	Budgeted amounts are the same. Installing Decorative Sibley Place Sign.

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The Department of Environmental Services Bureau of Operations provides mowing and trimming, tree pruning and leaf pickup unless otherwise noted (see Nunda and Oxford).

The costs of the maintenance are apportioned among the benefitted properties on the basis of the specified unit charges for each area. Charges are included on the annual tax bill and are payable in July. Funds are appropriated in the Care & Embellishment Fund.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1754
(Int. No. 112)

Local Improvement Ordinance – care and embellishment of street malls for 2019-20

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

Section 1. It is hereby determined that for the fiscal year 2019-20 the street malls on the following streets shall be maintained at least in accordance with minimal standards established by the Department of Environmental Services, in the following amounts:

Street Mall	Budget
	2019-20
Arnold Park	\$ 2,800.00
Hazelwood Terrace	400.00
Hillside Avenue	6,000.00
Huntington Park	4,000.00
Lafayette Park	3,182.00
Nunda Boulevard	7,195.00
Oxford Street	9,429.00
Sibley Place	2,405.00
Total	\$35,411.00

Section 2. The district of assessment for each street mall shall consist of all the parcels of property that front on the mall, or on any extension of the street or streets containing the mall up to the next intersecting street. The cost of maintenance of each street mall, in the amount set forth in Section 1, shall be apportioned among the parcels in the district based on each parcel’s footage along the street containing the mall.

Section 3. Assessments for the cost of such improvements and work shall be due in one payment and shall be added to the tax rolls for the fiscal year commencing July 1, 2019.

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Section 4. The total cost of such improvements and work, estimated at \$35,411, shall be charged as heretofore described in this ordinance and paid from the Care & Embellishment Fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for the aforesaid purpose.

Section 5. It is hereby determined that it is impracticable to have the work described herein done by competitive contract. Therefore, contracts for the work described herein may be awarded to such qualified persons or neighborhood associations as may be selected from those located in or adjacent to the aforementioned streets and areas.

Section 6. This ordinance shall take effect July 1, 2019.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1755

Re: Local Improvement Ordinance-
Streetscapes

Transmitted herewith for your approval is legislation authorizing the care and embellishment of streetscapes during 2019-20 and the assessment of the associated costs of \$40,815.00 among the benefitted properties.

The associated budgets are summarized below:

LIO	Streetscape District	2019-20	2015-165	Variance	Type
1685	Cascade Historic	\$8,000	\$8,000	0	Capital and Operating
1619	Norton Street Urban Renewal District	\$2,815	\$2,815	0	Capital and Operating
1652	Mt. Hope	\$30,000	\$30,000	0	Capital and Operating

A public hearing on the assessments for all districts is required.

Respectfully submitted,

Lovely A. Warren

Mayor

Local Improvement Ordinance No. 1755

(Int. No. 113)

Local Improvement Ordinance - establishing the operating and maintenance costs of special assessments for streetscape enhancements

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

Section 1. The following amounts are hereby established and the new assessments shall be allocated and levied against the benefited properties in accordance with the applicable local improvement ordinances for the operation and maintenance of special assessment districts for streetscape enhancements during 2019-20:

Streetscape District	2019-20 Budget	LIO
Cascade Historic District	\$8,000	1685
Norton Street Urban Renewal District	\$2,815	1619
Mt. Hope	\$30,000	1652

Section 2. This ordinance shall take effect on July 1, 2019.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1756
 Re: Local Improvement Ordinance –
 Downtown Enhancement District,
 2019-20 Budget

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation approving the 2019-20 Budget of the Downtown Enhancement District (District) and authorizing the apportionment of the budget costs among the properties within the District.

The District, established in 1989, enters its 30th year of providing an enhanced level of care and maintenance in the downtown area and plays a key role in the vitality of Downtown Rochester. These services may include sidewalk cleaning, sweeping, snow removal and litter removal, as well as installation, repair and maintenance of improvements such as benches, planters and street lighting.

The District includes all properties within the area between Church Street, Bragdon Place and Pleasant Street on the north, Chestnut Street on the east, Broad Street on the south, and Plymouth Avenue on the west; and all other properties within 1,600 feet of Main Street that were included in the original enclosed walkway system. The Downtown Enhancement District Advisory Board, consisting of 11 representatives of property owners or tenants, oversees the administration of the program by City staff.

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Unless otherwise approved by the Advisory Board, the annual costs to be assessed are restricted by a formula using the base year (1989-90) cost of \$400,000 adjusted by the cumulative increase in the consumer price index (CPI). The total cost is apportioned among the properties, based equally on assessed valuation and gross area of each property. Also, properties directly on Main Street are weighted at twice the factors of other properties.

The maximum permissible assessment for 2019-20 based upon the 30 year cumulative increase in the CPI (106.3%) is \$824,000. The recommended assessment is ~~\$666,900~~, \$646,900 an increase of ~~\$27,000 (4.2%)~~ \$6,900 (1.08%). The Advisory Board agreed to use the fund balance of \$46,900 to partially offset employee benefits.

<u>Category of Expense</u>	<u>2018-19</u>	<u>2019-20</u>	<u>Variance</u>
Personnel Total	655,800	675,100	19,300
<i>Salary and wages</i>	<i>447,000</i>	<i>460,000</i>	<i>13,000</i>
<i>Employee Benefits</i>	<i>208,800</i>	<i>215,100</i>	<i>6,300</i>
Operational Expenses	86,100	81,400	-4,700
<i>Materials and supplies</i>	<i>63,400</i>	<i>65,300</i>	<i>1,900</i>
<i>Contractual Services</i>	<i>22,700</i>	<i>16,100</i>	<i>-6,600</i>
		-35,000	-20,000
Less: Operating Revenues	-55,000	<u>55,000</u>	<u>0</u>
Less: Offset Tax Delinquency		<u>-7,700</u>	0
		713,800	26,900
Net Expense	686,900	<u>693,800</u>	<u>6,900</u>
Less: Use of Fund Balance	<u>-46,900</u>	<u>-46,900</u>	<u>0</u>
		666,900	26,900
Required Assessment	640,000	<u>646,900</u>	<u>6,900</u>

The proposed budget was approved by the Downtown Enhancement District Advisory Board on March 21, 2019 by a unanimous vote of 7 - 0.

A public hearing on the District assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1756
(Int. 114, as amended)

April 16, 2019

Local Improvement Ordinance – establishing the cost of the special work and services related to Main Street improvements of the Downtown Enhancement District

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

Section 1. The cost of the special work and services for the 2019-20 fiscal year for the Downtown Enhancement District to be allocated and levied in accordance with Local Improvement Ordinance No. 1291, as continued by Local Improvement Ordinances No. 1355, 1444, 1531, 1597, 1686, 1705, 1715, 1730 and 1744, is established at ~~\$666,900~~\$646,900, except that Zone 2 shall continue to include those properties which have been within the District as a result of their previously having enclosed walkway access to Main Street. Said amount, plus the sum of \$46,900 from the District's fund balance, or so much thereof as may be necessary, are hereby appropriated to fund the Downtown Enhancement District for the 2019-20 fiscal year.

Section 2. This ordinance shall take effect on July 1, 2019.

Strikeout indicates deleted text, new text is underlined.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2019-101
Agreement – United States Army
Corps of Engineers, Port of Rochester
Harbor Dredging

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$205,000 as maximum compensation for an agreement with the United States Army Corps of Engineers (USACOE) for maintenance dredging of the Genesee River related to the Port of Rochester. The agreement will be funded from Prior Years' Cash Capital and the term will be for one year.

The City of Rochester owns the Port of Rochester riverfront facilities that periodically require near-shore dredging to provide adequate access from the Genesee River. The facilities are the Port terminal dock wall, the Public Boat Launch, and the River Street Marina. Use of the Port terminal dock wall and the River Street Marina is dependent on water depths that provide adequate draft for docking boats and ships. In the past, the City has entered into funding agreements with the USACOE to have its contractors dredge City Port facilities in order to take advantage of the competitive volume related pricing in the USACOE dredge contracts. The most recent dredging agreement between the City and the USACOE for the Port Terminal dock wall, boat launch area, and River Street Marina was authorized by City Council in January 2017 (Ord. No. 2017-47). It has been two years since the last dredging of the Port Terminal and the north and south marina docks have not been dredged since 2009. The USACOE has scheduled dredging of the Genesee River federal navigation channel for the spring of 2019. Under the

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proposed agreement, the USACOE would dredge permitted areas outside the federal navigation channel at the City's facilities. The cost of the dredging is based on the estimated sediment volume to be removed to achieve permitted depths, the USACOE's recent experience with bid pricing for its dredging contracts, and contingency. The proposed agreement obligates the City to secure and provide required New York State and federal permits, and to pay the estimated dredging cost in advance. Upon completion, the USACOE is obligated to return to the City any funds not expended for the dredging.

It is anticipated that the proposed facility maintenance dredging will be complete by September 30, 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-101
(Int. No. 115)

Authorizing an agreement for dredging services in the Genesee River

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Army Corps of Engineers to provide dredging services in the Genesee River for a maximum compensation of \$205,000. Said amount shall be funded from Prior Years' Cash Capital. The term of the agreement shall be one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Lightfoot
April 16, 2019

To the Council:

The **PUBLIC SAFETY YOUTH & RECEREATION** recommends for **ADOPTION** the following entitled legislation:

April 16, 2019

Int. No. 117 Authorizing an agreement with Monroe County for the receipt and use of a Complex Coordinated Terrorist Attack Grant

Int. No. 118 Authorizing acceptance of The Petco Foundation grant for Animal Services

Int. No. 121 Authorizing a grant agreement for the 2019 Cool Sweep, **as amended**

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

Int. No. 116 Local Improvement Ordinance – security and snow removal services at the Public Market for 2019-20

Respectfully submitted,

Willie J. Lightfoot
Mitch Gruber
Jacklyn Ortiz
Loretta C. Scott
PUBLIC SAFETY YOUTH & RECREATION COMMITTEE

Received filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1757
Re: Public Market Snow Removal and
Security Services

Council Priority: Creating and Sustaining a
Culture of Vibrancy; Public Safety

Transmitted herewith for your approval is legislation authorizing the appropriations and assessments for snow removal and security services at the Public Market for 2019-20. The snow removal and security districts were established in 1990 and 1991, respectively, and include 15 properties adjacent to the Public Market.

The City provides special snow removal services, including plowing and salting, as necessary. The security services include foot patrols from 5:00 pm to 5:00 am, Monday through Saturday, and all day on Sunday. Part of the cost of these services is apportioned among the properties within the district. For each property, these assessments include both a fixed fee and a fee per frontage foot.

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Snow Removal: For 2019-20 snow removal services, the fixed fee will be \$100 per property, while the footage fee will be \$3.01 per foot. The total amount of the assessment will be \$5,888.07.

Security Services: For 2019-20 security services, the fixed fee will be \$1,190 per property, while the front footage fee will be \$17.80 per foot. The total amount of the assessment will be \$43,799.37.

	Fixed Fee	# Properties	Subtotal	Footage Fee	Footage	Subtotal	Total
<i>Snow</i>							
2018-19	\$100	15	\$1,500.00	\$3.01	1,457.83	\$4,388.07	\$5,888.07
2019-20	\$100	15	\$1,500.00	\$3.01	1,457.83	\$4,388.07	\$5,888.07
						Change	0
<i>Security</i>							
2018-19	\$1,190	15	\$17,850.00	\$15.99	1,457.83	\$23,310.70	\$41,160.70
2019-20	\$1,190	15	\$17,850.00	\$17.80	1,457.83	\$25,949.37	\$43,799.37
						Change	\$2,638.67

Public hearings are required for these assessments.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Local Improvement Ordinance No. 1757
 (Int. No. 116)

Local Improvement Ordinance - security and snow removal services at the Public Market for 2019-20

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

Section 1. The Council hereby authorizes special security services for the Public Market during the fiscal year from July 1, 2019 to June 30, 2020. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council hereby directs that a portion of the cost of providing such services be assessed against

April 16, 2019

the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2019-20 year shall be \$43,799.37. The amount to be assessed against each parcel shall include a fee of \$1,190 per parcel plus \$17.80 per foot of frontage. The frontage assessed upon may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services.

Section 2. The Council hereby authorizes special snow plowing and salting services for the Public Market during the fiscal year from July 1, 2019 to June 30, 2020. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council hereby directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2019-20 year shall be \$5,888.07. The amount to be assessed against each parcel shall include a fee of \$100 per parcel plus \$3.01 per foot of frontage that receives plowing and/or salting services. The frontage assessed upon may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services.

Section 3. The security, snow plowing, and salting services authorized herein shall be provided by competitive contracts. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2019 and shall be due in one installment.

Section 5. This ordinance shall take effect on July 1, 2019.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-102
Re: Agreement – Monroe County, Complex
Coordinated Terrorist Attack Grant

Council Priority: Public Safety

April 16, 2019

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of \$20,000 for the FY2016 Complex Coordinated Terrorist Attack grant (CCTA), and amending the 2018-19 Budget of the Police Department by \$11,400 and Undistributed Expenses by \$3,600 to reflect the receipt and use of this grant. The term of this agreement is January 1, 2019 through July 31, 2020.

Monroe County will reimburse costs of up to \$20,000 in overtime, fringe benefits, and travel expenses for Police Officers for the purpose of planning and applicable training that is focused on building or enhancing capabilities to improve the ability to prepare for, prevent, and respond to complex coordinated terrorist attacks.

This is the first time RPD has received this grant. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-102
(Int. No. 117)

Authorizing an agreement with Monroe County for the receipt and use of a Complex Coordinated Terrorist Attack Grant

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Monroe County for the receipt and use of \$20,000 for the fiscal year 2016 Complex Coordinated Terrorist Attack Grant (CCTA). The term of the agreement shall be from January 1, 2019 through July 31, 2020.

Section 2. 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 to the Budget of the Police Department by the sum of \$11,400 and Undistributed Expenses by \$3,600, which amounts are hereby appropriated from funds to be received under the CCTA grant agreement authorized herein.

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

Section 4. This ordinance shall take effect immediately.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-103
Re: Agreement – The Petco Foundation,
Animal Services Grant

Transmitted herewith for your approval is legislation authorizing an agreement with The Petco Foundation for the receipt and use of a grant in the amount of \$15,000, and amending the 2018-19

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Budget of the Police Department by this amount. The term of this agreement is February 15, 2019 through February 14, 2020.

The funding from this grant will be used for fee-waived adoption events, which will promote adoption of shelter pets.

This is the fifth time we have received this grant.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-103
(Int. No. 118)

Authorizing acceptance of The Petco Foundation grant for Animal Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with The Petco Foundation for the receipt and use of a grant in the amount of \$15,000 to promote the adoption of shelter pets. The term of the agreement shall be from February 15, 2019 through February 14, 2020.

Section 2. 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 to the Budget of the Police Department by the sum of \$15,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2019-104
Re: Grant Agreement, Avangrid
Foundation, Inc.

Transmitted herewith for your approval is legislation authorizing the receipt and use of a \$15,000 grant from the Avangrid Foundation, Inc. for the 2019 Cool Sweep program. The funding will be anticipated in

April 16, 2019

the 2019-20 Budgets of the Department of Recreation and Youth Services (\$11,400), Bureau of Communications (\$3,400), and Undistributed Expenses (\$200), contingent upon approval.

The Cool Sweep program, which has been in operation since 2011, provides opportunities for residents to get relief from the summer heat when the forecast calls for temperatures to reach or exceed 85 degrees. When a Cool Sweep is triggered, residents can access cooling sprays at two City fire hydrants, and seven City spray parks, as well as extended hours at select City pools and Durand Eastman Beach. When temperatures are forecasted to be 90 degrees and above, a Cool Sweep Heat Emergency is triggered, and residents are able to seek relief during extended hours **at select air-conditioned R-Center and Library locations**. In 2018, nineteen Cool Sweeps took place with a total attendance of 18,655.

The 2019 grant funding will support the operational costs of the program including the Cool Sweep media campaign, program coordination, and staff wages and fringe expenses at Cool Sweep sites.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2019-104
(Int. No. 121, as amended)

Authorizing a grant agreement for the 2019 Cool Sweep

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 Avangrid Foundation for the receipt and use of a \$15,000 grant which shall be used to promote and operate the 2019 ~~Clean~~ Cool 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.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By Councilmember Spaul
April 16, 2019

To the Council:

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

April 16, 2019

Int. No. 119 Authorizing an agreement for an annual Latino music event

Respectfully submitted,

Elaine M. Spaul
Molly Clifford
Michael A. Patterson
Loretta C. Scott
ARTS AND CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2019-105
Re: Agreement –RocOn Times, LLC Production of a
Latino Music Event

Council Priority: Creating and Sustaining a
Culture Of Vibrancy

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum annual compensation for an agreement with RocOn Times, LLC (principal: Orlando Ortiz), for booking national and regional artists and the overall production of a new City event. The agreement shall have a term of three years with two 1-year renewal options. The cost of this agreement for the first year will be financed from the 2019-20 Budget of the Bureau of Communications, contingent upon approval. The compensation for the following years shall be funded from subsequent budgets of the Bureau of Communications, contingent upon approval.

RocOn Times, LLC was selected through a request for proposals process. Two proposals were received. The review committee included staff members from Communications, Special Events, and the City's Hispanic Heritage Committee. Interviews were held with both respondents and RocOn Times was selected. The request for proposal summary and rating sheet is attached.

The event will feature Latino music, food, and cultural elements. RocOn Times will provide national and regional talent booking, event promotion, overall site management, and sponsorship solicitation. RocOn Times will retain \$1 of each ticket sold with the remainder going to the City. The City will also receive proceeds from food and beverage revenue as well.

Included in the City's investment in this new signature event are in-kind public safety services, marketing support, and equipment rental.

Respectfully submitted,
Lovely A. Warren
Mayor

April 16, 2019

Attachment No. AS-68

Ordinance No. 2019-105
(Int. No. 119)

Authorizing an agreement for an annual Latino music event

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 RocOn Times, LLC to produce an annual Latino music event. The term of the agreement shall be three years with the option for the parties to agree to extend for up to 2 additional periods of one year each. The maximum annual compensation for the agreement shall be \$28,000, consisting of an annual base fee of \$20,000 plus \$1 for each event ticket sold up to a maximum of \$8,000 per year. The compensation for the first year shall be funded from the 2019-20 Budget of the Bureau of Communications, contingent upon approval. The compensation for following years shall be funded from subsequent years' 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.

Passed unanimously.

The meeting was adjourned at 8:11 p.m.

HAZEL L. WASHINGTON
City Clerk