



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

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**Rochester, N.Y., \_\_\_\_\_**

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 20, 2019** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 21, 2019** in accordance with the applicable provisions of law.

Ordinance No. 2019-245

### **Authorizing a master license agreement with FirstLight Fiber**

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

Section 1. The Mayor is hereby authorized to enter into a master license agreement with TVC Albany, Inc. d/b/a FirstLight Fiber for the installation of a fiber based communications network in the City of Rochester right-of-way. The term of the master license agreement shall be ten years, with the option to extend for up to two additional five year renewal terms.

Section 2. The master license agreement shall be consistent with the provisions and requirements of Chapter 106 of the Municipal Code, Telecommunications in the Right-of-Way.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz,  
Patterson, Spaul - 8.

Nays - None - 0.

Attest

*Ayze Washington*

City Clerk



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Ordinance No. 2019-246

### Cancellation of erroneous taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

- (A) The demolition costs for the property located at 1252 E. Main Street were invoiced or added to tax on August 1, 2017 to a prior owner. On 9/18/2017 the property transferred to a new owner. The outstanding demolition charge was added to the property tax bill in accordance with City Code Section 47A-16(F) and City Charter Section 6-94. Notwithstanding the removal of this tax lien, the demolition costs remain a personal liability of the prior owner of the property under City Code Section 47A-16(F).

S.B.L. #	Class	Address	Tax Year	Cancelled Amount	Subtotal
107.69-1-89	H	1252 E. Main Street	2019	\$40,004.34	<b>\$40,004.34</b>

- (B) In 2012 the water account for 149 Atkinson Street was inadvertently assigned to 157 Atkinson Street. It was later discovered that 157 Atkinson Street had two water accounts assigned to it; #01116600 01 and #012188 01, the latter being the correct account for 147 Atkinson Street. As a result, the delinquent water charges for 147 Street were added to tax for 157 Atkinson Street incorrectly.

S.B.L. #	Class	Address	Tax Year	Cancelled Amount	Subtotal
121.37-1-20.1	H	157 Atkinson Street	2014	\$138.04	\$138.04
			2015	\$237.40	\$237.40
			2016	\$177.04	\$177.04
			2017	\$150.44	\$150.44
			2018	\$164.02	\$164.02
			2019	\$171.11	\$171.11

(C) The property located at 500 E. Main Street is owned by a not for profit corporation and is being leased. The Board of Assessment Review granted a 50% tax exemption on the property. Due to a clerical error, the tax exemption was not entered into the assessment system correctly and thus, not reflected on the 2019-20 tax roll.

S.B.L. #	Class	Address	Tax Year	Cancelled Amount	Subtotal
106.81-1-27	N	500 E. Main Street	2020	\$1,775.62	\$1,775.62

(D) The property located at 163 Scio Street is owned by a not for profit corporation and is being leased. The Board of Assessment Review granted a 50% tax exemption on the property. Due to a clerical error, the tax exemption was not entered into the assessment system correctly and thus, not reflected on the 2019-20 tax roll.

S.B.L. #	Class	Address	Tax Year	Cancelled Amount	Subtotal
106.81-1-32	N	163 Scio Street	2020	\$1,262.65	\$1,262.65

**GRAND TOTAL            \$44,080.66**

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz,  
Patterson, Spaul - 8.

Nays - None - 0.

Attest

*Hazel Washington*

City Clerk



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Ordinance No. 2019-247

### **Authorizing an amendatory agreement with Collaborative Solutions, LLC**

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 Collaborative Solutions, LLC to provide ongoing optimization support for Workday, the City's payroll and personnel software solution. The amendatory agreement shall extend the term of the agreement authorized by Ordinance No. 2018-223 for a term of one year, with two one-year renewal options. The maximum annual compensation for the agreement shall be \$100,000, and said amount shall be funded for the first year by the remaining funds appropriated in Ordinance No. 2018-223, and subsequent years, if opted for, shall be funded by 2020- 21 and 2021-22 Cash Capital, contingent upon approval of said budgets.

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


Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz,  
Patterson, Spaul - 8.

Nays - None - 0.

Attest

  
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Ordinance No. 2019-248

### **Authorizing agreements and funding for the Financial Empowerment Centers Initiative**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Consumer Credit Counseling Service of Rochester, Inc. to provide counseling services for the Financial Empowerment Centers Initiative (the Initiative). The term of the agreement shall be 1 year with the option to renew for up to two additional terms of 1 year each. The maximum annual compensation for the agreement shall be \$400,000. The compensation for the first year shall be funded from the 2019- 20 Budget of the Office of Mayor. The compensation for the second and third years, if any, shall be funded from subsequent years' Budgets of the Office of Mayor contingent upon approval of said budgets.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Cities for Financial Empowerment Fund, Inc. for the receipt and use of \$150,000 in funding to implement the Initiative.

Section 3. The Mayor is hereby authorized to enter into an agreement with the Rochester Economic Development Corporation for the receipt and use of \$25,000 in funding to implement the Initiative.

Section 4. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Mayor's Office by \$175,000 to



reflect the receipt of the funds authorized in Sections 2 and 3 herein.

Section 5. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate.

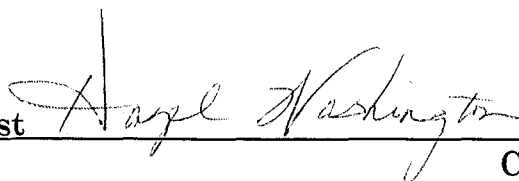
Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



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Ordinance No. 2019-249

### **Authorizing an amendatory agreement with SourceLink**

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 Sourcelink to implement proprietary software solutions for entrepreneur-serving organizations in the Rochester community. The amendment shall increase the term of the agreement originally authorized in Ordinance No. 2019-146 to three years. All other terms and conditions will remain the same, including the maximum compensation.

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

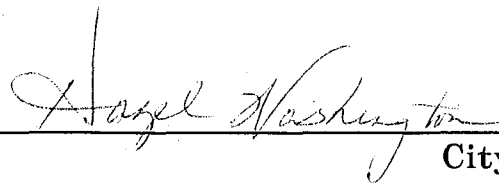
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



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Ordinance No. 2019-250

**Amending the 2019-20 Budget for the receipt of New York State Extreme Winter Recovery highway funding**

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

Section 1. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by appropriating revenues in the amount of \$535,000 to the Budget for Cash Capital from the Extreme Winter Recovery portion of New York State's Consolidated Local Street and Highway Improvement Program.

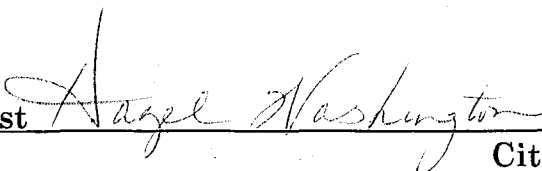
Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

  
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Ordinance No. 2019-251

### **Authorizing Councilmember designations for agreements to support various community programs and services**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with each of the following organizations for maximum compensation in the Councilmember designation amount specified herein to conduct or fund community programs and services:

<b>Agency</b>	<b>Amount:</b>
19th Ward Community Association of Rochester New York, Incorporated	\$2,500
Action for a Better Community, Inc.	\$1,000
Baden Street Settlement of Rochester, Inc.	\$3,000
The Center for Youth Services, Inc.	\$ 500
Charles Settlement House, Inc.	\$2,250
Ibero-American Action League, Inc.	\$4,200
Ibero-American Development Corporation	\$1,000
North East Area Development, Inc.	\$3,000

Rochester Youth Sports  
Foundation

\$ 500

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\$17,950

Section 2. The term of each agreement shall be one year.

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

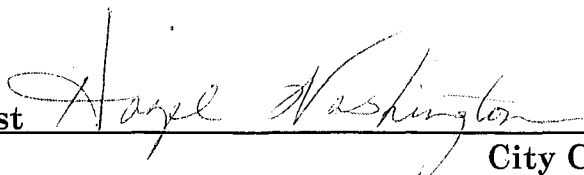
Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None -0.

Attest

  
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Ordinance No. 2019-252

#### Authorizing an agreement for racial equity 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 St. Joseph's Neighborhood Center, Inc. in the maximum amount of \$16,600 to provide racial equity training services in support of the Let's Get REAL - Race, Equity and Leadership project. The cost of the agreement shall be funded from the 2019-20 Budget for Undistributed Expense and the term of the agreement shall be 2 years.

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

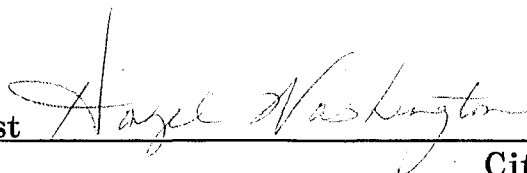
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

  
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Ordinance No. 2019-253

#### 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
30 Myrtle Hill Pk	105.58-3-39	40 x 110	4,400	\$425	Doneen James
259-259.5 Wilkins St	106.24-2-17	40 x 101	4,062	\$425	Eugenio Jr. & Maria

Section 2. 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
20 Arbutus St	107.29-1-42	34 x 82	2,735	Tinh Nguyen
1 Caves Pl	107.30-1-11	29 x 55	1,595	Mark Scipioni & Susan B. Howard
341 Orange St	105.82-2-71.3	13 x 130	1,691	Waleska Casiano
119 Ravine Ave	105.35-4-51	37 x 63	1,963	Louis Gangemi



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

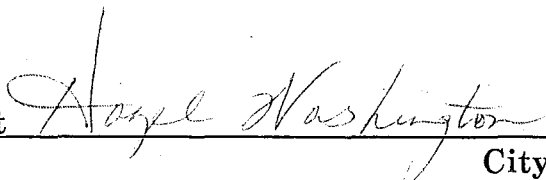
Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

  
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Ordinance No. 2019-254

### **Authorizing a lease agreement for the Court Street Parking Garage**

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

Section 1. The Mayor is hereby authorized to enter into a lease agreement with Merlo Enterprises LLC (Tenant) for the lease of 1,500 square feet of commercial space in the Court Street Parking Garage and two designated parking spaces. The term of the lease agreement shall be for five years with five one-year renewal options contingent on the Director of Real Estate's review and finding that the extended term is reasonable, necessary and beneficial to the public.

Section 2. The Council hereby finds that the term of the proposed lease is reasonable and necessary in light of its intended purpose and that the public will benefit throughout the term of the lease.

Section 3. The monthly rent for said lease shall be \$1,500 for the initial term, and the rent for any renewal terms shall be increased by 2% of the monthly rent paid in the preceding lease year.

Section 4. Tenant shall be responsible for all utilities and leasehold improvements.

Section 5. The lease shall provide for periodic reviews of the use of the leasehold by the Director of Real Estate to determine and ensure the Tenant's compliance with the lease terms.

Section 6. The lease will terminate, at the City's option, upon the occurrence of substantial changes in the use of the leasehold or performance of the lease by the Tenant.

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

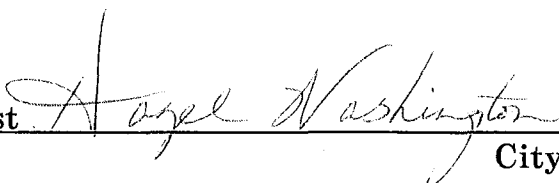
Section 8. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

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Ordinance No. 2019-255

### **Authorizing a license agreement with St. Mark's and St. John's Episcopal Church for the use of City properties as community gardens**

WHEREAS, the City of Rochester has received a proposal from the St. Mark's and St. John's Episcopal Church for the continued use of several City-owned parcels of land as community gardens for a term of five years with the option to extend for one additional five year term; and

WHEREAS, consistent with Section 21-23 of the Municipal Code, the Council is following additional procedures due to the length of the proposed use; and

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

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

Section 1. The Mayor is hereby authorized to enter into a license agreement with St. Mark's and St. John's Episcopal Church for the maintenance of community gardens at each of the following City-owned properties:

Address	SBL #
1199 Culver Road	107.55-2-30
245-247 Hazelwood Terrace	107.54-2-20
290 Melville Street	107.54-2-55
622 Merchants Road	107.65-1-1
366 Parsells Avenue	107.54-3-54
408 Rosewood Terrace	107.47-3-48

Section 2. The license agreement shall have a term of five years, provided that the City shall retain the right to terminate all or part of the license upon 90 days written notice whereupon the licensee shall then be required to relinquish the site or sites designated in such notice at the end of the prevailing growing season which is defined as December 15th of the notification year.

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

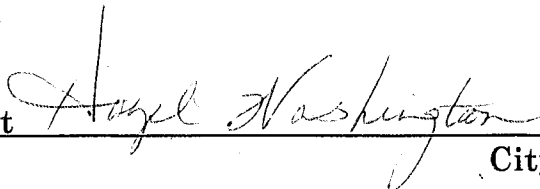
Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



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Ordinance No. 2019-256

### **Amending the Zoning Code by adding Planned Development District No. 21 — The Vistas at Highland**

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by adding the Planned Development District No. 21 — The Vistas at Highland and approving the text and development concept plan for the district to read in its entirety as follows:

#### **§ PDD-21. Planned Development District No. 21 — The Vistas at Highland**

##### **A. Purpose and Intent.**

(1) The purpose and intent of Planned Development District No. 21 (PD #21) to be known as "The Vistas at Highland," is to provide for a plan and regulatory framework, for the future use and development of the campus for the Colgate Rochester Crozer Divinity School ("Colgate"), that recognizes the importance of its historic, cultural, and natural features. A protective, yet flexible, regulatory environment will preserve those features while allowing reasonable use and reuse of the historic buildings.

(2) The Development Concept Plan for PD #21 recognizes the historic importance of the Colgate Campus with its highly prominent location on an elevated site, distinctive landscape plan and homogeneous Gothic Revival style buildings.

The property is a designated City Landmark, including interior designation of the Chapel. It has also been determined eligible for individual listing on the National Register of Historic Places by the New York State Historic Preservation Office due to its architectural, landscape, and its cultural significance.

PD #21's historic preservation and conservation efforts are primarily directed toward the safeguarding of the historic buildings, Montgomery Hall, Strong Hall and Trevor Hall; and, the dominant sweeping south lawn, emphasizing the elevations of the buildings; and of materials, with its varied and mature plant palette dramatic forefront

In addition to the existing Local Landmark designation, the zoning text for PD #21 will further protect the three historic buildings through restricted reuse options, as well as by precluding additions to those buildings as well as new construction immediately adjacent to and within the individual lot areas of those buildings. The south lawn, will be further protected by a conservation easement which will proscribe any development within the easement area. The proposed new buildings will be located and designed so as to preserve and protect the existing natural and geologic features of the property.

(3) The PD #21 site is within a Critical Environmental Area designated by the City of Rochester that encompasses the slopes and crests of the following glacial formations: Cobbs Hill, Pinnacle Hill, and the lesser hills, comprised of kames, kettles and eskers, generally situated north of Highland Avenue, and extending from Mount Hope Cemetery to the west and extending eastward through Highland Park, the PD-21 site, Pinnacle and Cobbs Hill. The PD #21 also is distinctive due to the presence of heavily wooded areas along its north, east and west lot lines.

The PD #21 text and development concept plan acknowledge the importance of these features and promote their protection by carefully locating new buildings and parking areas to avoid unnecessary encroachment; limiting the number of trees to be removed; locating the new buildings primarily in previously disturbed portions of the site; providing the ultimate protection and conservation of the south lawn; and, utilizing temporary and permanent stabilization measures and best construction management practices during construction.

(4) The development concept plan subdivides PD #21 into 6 lots. The various lots are designed to allow for site access; the use and reuse of existing historic structures; new residential developments; accessory parking; vehicular and pedestrian circulation elements; and, the protection of the most significant historic and natural elements of the site.

(5) Shared parking is encouraged to promote efficient use of land and resources by allowing users, that may have different peak parking demands and/or different hours of operation, to share proximate parking facilities.

## **B. Lot and Building descriptions (see Development Concept Plan).**

- (1) Lot 1 currently is open space and a portion of a parking lot. It is planned for residential development with 2 apartment buildings and accessory underground and surface parking. The remainder of the lot is to be devoted to landscaping, with large setback requirements from the north and west lot lines that will protect substantial wooded areas.
- (2) Lot 2 allows for the continuous use of 2 existing apartment buildings, Andrews Hall and Saunders House, along with the provision of accessory surface parking. Both existing buildings have traditionally been used as apartments for student housing.
- (3) Lot 3 encompasses Montgomery Hall, its courtyard, driveway, and parking area. Montgomery Hall, has a floor area of 7,916 sf. and has been used as a dwelling and as the home of Colgate's presidents. Lot 3 accommodates the use and reuse of Montgomery Hall, while prohibiting building additions and new construction.
- (4) Lot 4 includes Strong Hall with a floor area of 76,123 square feet (sf), an outdoor terrace, and a parking lot. Strong Hall was the main school facility with classrooms, offices, cafeteria, auditorium, chapel and library. The use and reuse of Strong Hall is accommodated, while prohibiting building additions and new construction.
- (5) Lot 5 includes Trevor Hall, which has 31,776 sf of floor area. This facility is currently leased to the American Cancer Society for the operation of a facility known as Hope Lodge. It includes offices; 29 transient rooms that vary in size and number of beds; a central kitchen, dining room, and laundry facilities, which are available to visitors. This lot accommodates the use and reuse of the building, while prohibiting building additions and new construction.
- (6) Lot 6 consists of 2 subareas. Subarea 1 includes existing site access, open space, parking, accessory uses, certain utilities, and the existing access drive from South Goodman St. Subarea 2 encompasses the historic south lawn landscaped area, arguably the most important landscape open space element of the Local Landmark property. This subarea will be protected, not only by the existing local landmark designation but, also by a preservation easement and will be maintained by the project sponsor. No development, including buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling will be permitted in this easement area as it will continue to serve as the dramatic forefront to the hilltop historic buildings.

## **C. Permitted uses.**

The following uses are permitted in the various lots and existing buildings in PD #21; uses not expressly permitted are prohibited:

- (1) Lot1 Permitted Uses:
  - (a) Multifamily Dwellings
  - (b) Independent Living Facilities



(2) Lot 2 Permitted Uses:

- (a) Multifamily Dwellings
- (b) Independent Living Facilities

(3) Lot 3 Permitted Uses: The following uses are permitted only when located within the existing building known as Montgomery Hall; additions and new construction are not permitted on Lot 3:

- (a) Single family dwellings
- (b) Offices
- (c) Bed and breakfast lodging establishments, including accessory outdoor seating areas.

(4) Lot 4 Permitted uses: Except for the use described in clause g, the following uses are permitted only when located within the existing building known as Strong Hall; additions and new construction are not permitted on Lot 4:

- (a) Schools, both public and private, including classrooms, conference rooms, cafeterias, libraries, laboratories, administrative and faculty offices, student and faculty housing, bookstores, coffee shops, and the like
- (b) Banquet & Conference facilities
- (c) Places of worship
- (d) Multifamily dwellings
- (e) Independent living facilities
- (f) Offices
- (g) Outdoor terraces used in conjunction with, and accessory to, any permitted use, with any entertainment use confined to the limited entertainment category only.

(5) Lot 5 Permitted Uses: Except for the use described in clause c, the following uses are permitted only when located within the existing building known as Trevor Hall; additions and new construction are not permitted on Lot 5.

- (a) Independent living facilities
- (b) Hotels
- (c) Outdoor terraces used in conjunction with, and accessory to, any permitted use, with any entertainment use confined to the limited entertainment category only.

(6) Lot 6 Permitted Uses: The following uses are permitted, for Subareas 1 & 2, as follows:

- (a) Subarea 1-
  - (a.1) Driveways
  - (a.2) Parking Lots
  - (a.3) Loading Spaces
  - (a.4) Accessory storage buildings
  - (a.5) Accessory buildings and structures existing on the date of adoption of this development concept plan
- (b) Subarea 2-

(b.1) Accessory buildings and structures existing on the date of adoption of this development concept plan.

(b.2) Surface or subsurface stormwater detention or retention ponds as allowed according to the preservation easement and as approved by the Rochester Preservation Board.

#### **D. Special permit uses.**

The following uses are allowed as special permit uses in PD #21:

- (1) Lot 1: Commercial uses in multifamily dwellings over 20 units, subject to the additional requirements specified in § 120-134.
- (2) Lot 2: None
- (3) Lot 3: The following uses only when located within Montgomery Hall:
  - (a) Day care centers
  - (b) Health clubs and similar facilities
  - (c) Artist Studios and art galleries
  - (d) Museums
  - (e) Community centers
  - (f) Private clubs and lodges
  - (g) Retail Sales and Service
  - (h) Restaurants, with accessory outdoor seating area, operating only between the hours of 11AM and 11PM, daily; and, with limited entertainment, only
  - (i) Live-work space
- (4) Lot 4: The following uses only when located within Strong Hall:
  - (a) Day care Centers
  - (b) Health clubs and similar facilities
  - (c) Artist Studios and art galleries
  - (d) Museums
  - (e) Community centers
  - (f) Private clubs and lodges
  - (g) Clinics
- (5) Lot 5: The following uses only when located within Trevor Hall:
  - (a) Community Centers
  - (b) Private Clubs and lodges
  - (c) Day Care Centers
  - (e) Health Clubs and & Similar facilities
  - (f) Clinics
  - (g) Offices
  - (h) Multifamily dwellings

(6) Lot 6: Subarea 1

(a) Ancillary parking garages

Subarea 2

(a) None

**E. Yard Space and Bulk.**

(1) Minimum Building Setbacks:

(a) Lot 1

[i] Northern most lot line: 100'

[ii] West lot line: 85'

[iii] Other Lot lines: 0'

(b) Lot 2

[i] North Lot line: 75'

[ii] East Lot line: 70'

[iii] Other lot lines: 0'

(c) Lot 3: none

(d) Lot 4: none

(e) Lot 5: none

(f) Lot 6

(a) Subarea 1

[i] East lot line 50'

[ii] West lot line 50'

[iii] Other lot lines: none

(b) Subarea 2 –None

(2) Lot Coverage: The maximum total district lot coverage permitted in PD #21, including all buildings, structures, private streets, surfaced parking areas, sidewalks and other impervious surfaces, is 50 %.

(3) Density: The maximum total district residential density permitted in PD #21 is 10 units per acre.

(4) Height: Other than buildings existing on the date of adoption of this DCP, no building within PD #21 shall exceed 4 stories or 60 feet in height.

## **F. Parking and Loading**

### **(1) Parking:**

- (a) Surface parking spaces for any uses located in PD #21 may be shared by all users within the district and located in any parking lot/area within the district, excluding Lot 6 Subarea 2
- (b) The total number of surface parking spaces on site shall not exceed 330.
- (c) New or expanded surface parking facilities, seeking authorization to exceed the 330 space surface parking cap, shall be accompanied by a parking demand analysis, as set forth in § 120-173B of the Zoning Code, as part of an application for site plan approval for incremental development.
- (d) Parking lots shall be subject to the parking lot design and maintenance standards set forth in § 120-173 of the Zoning Code; except where this PD #21 zoning text provide otherwise or when waived by the Manager of Zoning in the review and approval of a site plan for incremental development.

### **(2) Loading:**

- (a) On-site loading shall comply with the requirements set forth in § 120-172 of the Zoning Code
- (b) On-site loading facilities may be shared by any uses within the district.
- (c) On site loading may occur in any parking lot within the district.

## **G. Temporary Uses.**

Temporary uses shall be subject to the requirements of § 120-149 of the Zoning Code

## **H. Accessory Uses.** The following accessory uses are permitted in PD #21:

- (1) Electric vehicle charging stations when located in a parking lot or parking garage.
- (2) Fences and walls subject to the provisions of § 120-167.
- (3) Minor accessory structures, such as benches, knee walls, retaining walls, gazebos, arbors, water features, pergolas, bus shelters, and the like.
- (4) Solar collectors
- (5) Wind energy conversion systems
- (6) Home occupations, subject to the additional requirements for specified uses in § 120-139.

## **I. Signage.**

- (1) A sign program shall be developed for PD #21 which will include regulations for heritage, building and/or tenant identification, business, way finding and event promotion signs.
- (2) The sign program for PD #21 shall supersede the sign regulations of Section 120-177 of the Zoning Code.
- (3) The sign program shall be subject only to site plan review by the Manager of Zoning and a certificate of appropriateness from the Rochester Preservation Board.
- (4) No signage shall be installed prior to approval of the sign program.

## **J. Additional Regulations**

- (1) Development and redevelopment in PD #21 are subject to Requirements Applying to All Districts (Article XX), except where this PD #21 zoning text provides otherwise or when waived by the Manager of Zoning in the review and approval of a site plan for incremental development.
- (2) Development and redevelopment in PD #21 are subject to additional requirements for specified uses (Article XVIII), except where this PD #21 zoning text provides otherwise.
- (3) Development and redevelopment in PD #21 is subject to the City-Wide Design Guidelines and Standards (Article XIX), except where the PD #21 zoning text provide otherwise or when waived by the Manager of Zoning in the review and approval of a site plan for incremental development.
- (4) The general height and yard exceptions set forth in Article XXIII shall apply to PD #21.
- (5) PD #21 is subject to the requirements set forth in Article XVII of the City Zoning Code regarding establishment, development and modification of planned development districts.
- (6) Development and redevelopment of any area within PD # 21 is subject to the requirement of a certificate of appropriateness from the Rochester Preservation Board pursuant to §120-194, where applicable.

**K. Definitions:** The following definitions shall apply to PD #21 only.

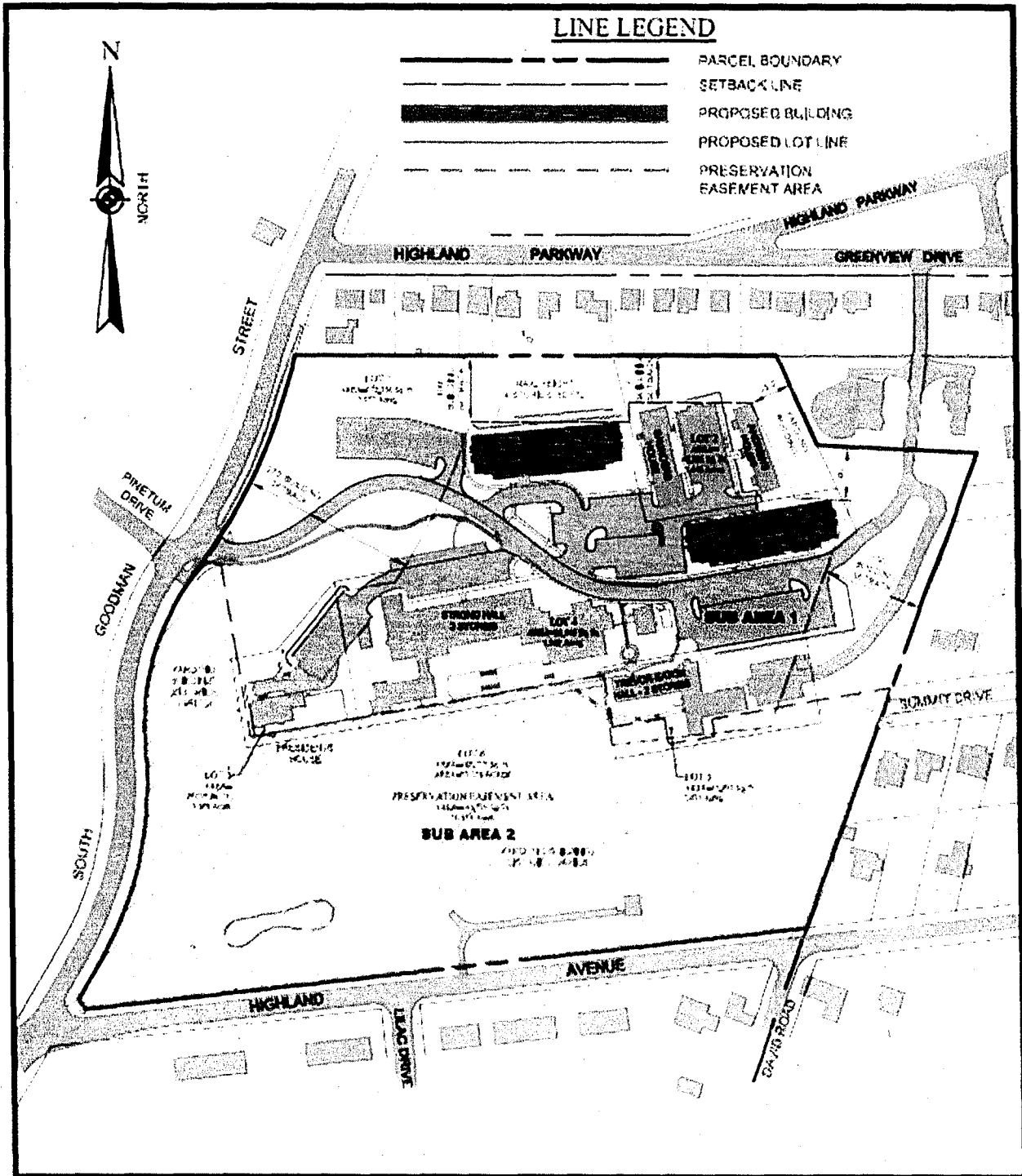
**Independent living facility-** multifamily dwellings for seniors who do not require specialized care but where housekeeping and the option for communal meals and social activities are provided for an all-inclusive rental fee.

**Bed-and-Breakfast lodging establishment-** An owner operated dwelling in a single family residential structure where overnight lodging and a breakfast are provided for compensation, subject to no alteration to either the exterior or the interior of any principal or accessory structure which changes the character and appearance of the residential premises; only rooms originally designed as bedrooms being used for guest lodging; guest parking including one off-street parking space for each bedroom; and signs complying with the approved sign program for this PD#21.

**Limited Entertainment** – Any live or recorded entertainment or music other than background music, including but not limited to karaoke, that is completely secondary to the principal use and that meets the following criteria:

- A. The entertainment or music must be accessory to the principal use and may not in any way constitute the primary function of the operation.
- B. The specific type of entertainment or music must be listed on the limited entertainment center license that is issued pursuant to Chapter 29, Amusements and Entertainment, of the Municipal Code.
- C. There will be only one performer or performance group.
- D. No dedicated stage nor dance area will be provided, nor will any permanent or temporary change to the approved floor plan be made to accommodate the use. For purposes of this section, “approved floor plan” is defined as the floor plan, seating plan or other drawings and information that served as the basis for the establishment’s latest building permit and maximum occupancy determinations issued pursuant to Chapter 39 Building Code of the Municipal Code.
- E. No cover charge or fee will be collected.
- F. The entertainment or music must end one hour prior to closing time.

# L. PD #21 Development Concept Plan



Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Harris, Lightfoot, Patterson, Spaul - 5.

Nays - Councilmembers Evans, Gruber, Ortiz - 3.

Attest

*Hazel Washington*

City Clerk





**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

---

**Rochester, N.Y., \_\_\_\_\_**

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 20, 2019** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 21, 2019** in accordance with the applicable provisions of law.

Ordinance No. 2019-257

**Amending the Zoning Map by changing the zoning classification of 1100-1120 South Goodman Street to Planned Development District No. 21 — The Vistas at Highland**

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning map classification of the following property from Institutional Planned Development — Colgate Divinity School to Planned Development District No. 21 — The Vistas at Highland:

<b>Address</b>	<b>SBL #</b>
1100-1120 South Goodman Street	136.33-1-1.002

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

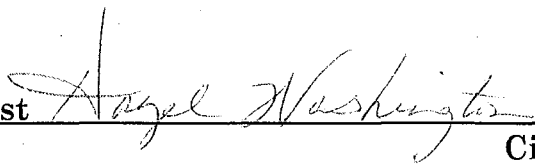
Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Harris, Lightfoot, Patterson, Spaul - 5.

Nays - Councilmembers Evans, Gruber, Ortiz - 3.

Attest



City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

**Rochester, N.Y., \_\_\_\_\_**

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Ordinance No. 2019-258

### **Authorizing agreements and appropriating funds for the Preventive Maintenance Northwest Group 12 Project**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation to participate in and administer the Preventive Maintenance Northwest Group 12 Project for Driving Park Avenue, Emerson Street and Jay Street (Project) and for the receipt and use of Federal Highway Administration (FHWA) funding for the Project.

Section 2. The sum of \$228,000 in anticipated reimbursements from the FHWA is hereby appropriated to finance a portion of the design services and right-of-way incidentals for the Project.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Joseph C. Lu Engineering, P.C. to provide design services and right-of-way incidentals for the Project. The maximum compensation for the agreement shall be \$285,000 which shall be funded from the appropriations authorized in Section 2 herein (\$228,000) and \$57,000 from 2016-17 Cash Capital. The term of the agreement shall continue until six months after final acceptance of the Project.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson,  
Spaull - 8.

Nays - None - 0.

**Attest**

*Haye Washington*

City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

---

**Rochester, N.Y., \_\_\_\_\_**  
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Ordinance No. 2019-259

**Appropriating Community Development Block Grant funds for Alpha Street Group infrastructure improvements**

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

Section 1. The Council hereby appropriates \$200,000 from the Residential Street Rehabilitation allocation of the Consolidated Community Development Plan/2018-19 Annual Action Plan to the Alpha Street Group infrastructure improvements project.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

*Hazel Washington*

City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

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**Rochester, N.Y., \_\_\_\_\_**  
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Ordinance No. 2019-260

**Authorizing intermunicipal agreements with the County of Monroe for Traffic Signal Maintenance Services, as amended**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory intermunicipal agreement with the County of Monroe for the County to provide maintenance services for the traffic signals located at the intersection of Elmwood and Plymouth avenues and at the intersection of Andrews and Front streets in front of the Crossroads Garage. It shall amend the agreement that was authorized in Ordinance No. 2015-265 to adjust the annual compensation each year ~~going forward~~ after the first year based on the Consumer Price Index for All Urban Consumers (CPI-U).

Section 2. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe for the County to operate and maintain the traffic signals located at the intersection of Elmwood Avenue and Moore Road/Joseph C. Wilson Boulevard. The agreement shall have an initial term of five years, with the option to extend up to three additional five-year terms, if both parties agree. The maximum compensation for the first year shall be \$700, which shall be funded from the 2019-20 Budget of the Department of Environmental Services (DES). The compensation for each subsequent year shall be adjusted based on the CPI-U and shall be funded from each subsequent year's Budget of DES, contingent upon approval.

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

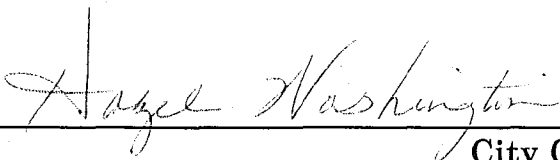
Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

**Attest**

  
\_\_\_\_\_  
City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

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**Rochester, N.Y., \_\_\_\_\_**

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Ordinance No. 2019-261

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$515,000 Bonds of said City to finance certain costs of the 2019 Annual Parking Garage Evaluation and Repair Program**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of the 2019 Annual Parking Garage Evaluation and Repair Program for the City's South Avenue, Court Street, East End, High Falls, Sister Cities and Washington Square garages (the "Program"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,575,000. The plan of financing includes the issuance of \$515,000 bonds of the City which amount is hereby appropriated therefor, \$592,000 bonds of the City authorized and appropriated in Ordinance No. 2018-396, \$840,000 bonds of the City authorized and appropriated in Ordinance No. 2018-397, \$2,628,000 of 2018-19 Cash Capital, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$515,000 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 \$515,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

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

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

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

*Aazel Washington*

City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

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**Rochester, N.Y., \_\_\_\_\_**

**TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 20, 2019** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 21, 2019** in accordance with the applicable provisions of law.

Ordinance No. 2019-262

**Authorizing an amendatory agreement for the Promenade at Erie Harbor Park 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 Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, DPC to provide resident project representation (RPR) services for the Promenade at Erie Harbor Park project (Project). The amendment shall increase the maximum compensation for the existing agreement, which was originally authorized by Ordinance No. 2016-234, by \$221,000 to a total maximum amount of \$821,000. The amendatory compensation amount shall be funded from 2019-20 Cash Capital. The term for the amendatory agreement shall extend two years after completion and final acceptance of the Project.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson,  
Spaull - 8.

Nays - None - 0.

**Attest**

*Hazel Washington*

City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

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**Rochester, N.Y.,** \_\_\_\_\_

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Ordinance No. 2019-263

### **Authorizing a professional services agreement for 121-123 Reynolds Street brownfield cleanup 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 Stantec Consulting Services Inc. for remedial program services pertaining to the environmental cleanup of 121-123 Reynolds Street in the City (the Project). The maximum compensation for the agreement shall be \$380,000, which shall be funded in the amounts of \$109,500 from City bonds issued for the Project, \$179,000 in U.S. Environmental Protection Agency Brownfield Cleanup grant funds appropriated in Ordinance No. 2018-404, and \$91,500 from 2016-17 Cash Capital. The term of the agreement shall be 3 years with the option to extend for such additional time, if any, as shall be necessary to obtain a no further action determination from the New York State Department of Environmental Conservation.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson,  
Spaul - 8.

Nays - None - 0.

Attest

*Ayaz Washington*

City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

---

**Rochester, N.Y., \_\_\_\_\_**

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Ordinance No. 2019-264

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$109,500 Bonds of said City to finance the costs of the remediation of environmental contamination of 121-123 Reynolds Street in the City**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of the remediation of environmental contamination of the property located at 121-123 Reynolds Street in the City (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$380,000. The plan of financing includes the issuance of \$109,500 bonds of the City which amount is hereby appropriated therefor, \$179,000 in U.S. Environmental Protection Agency Brownfield Cleanup grant funds appropriated in Ordinance No. 2018-404, \$91,500 in 2016-17 Cash Capital, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$109,500 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 \$109,500. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a. 6-e of the Local Finance Law, is twenty (20) years.

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

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

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

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

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

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




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

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

  
\_\_\_\_\_  
City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

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**Rochester, N.Y.,** \_\_\_\_\_

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Ordinance No. 2019-265

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$288,000 Bonds of said City to finance the costs of a remedial investigation and interim remedial measures for environmental contamination located at 68-92 Genesee Street in the City**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of a remedial investigation and interim remedial measures for environmental contamination of the property located at 68-92 Genesee Street in the City (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$288,000. The plan of financing includes the issuance of \$288,000 bonds of the City which amount is hereby appropriated therefor and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$288,000 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 \$288,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a. 6-e of the Local Finance Law, is twenty (20) years.

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

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

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

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

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

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

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

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

*Hazel Washington*

City Clerk



**City of Rochester**

**City Clerk's Office**

# **Certified Ordinance**

---

**Rochester, N.Y., \_\_\_\_\_**  
**TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 20, 2019** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 21, 2019** in accordance with the applicable provisions of law.

Ordinance No. 2019-266

**Authorizing a grant agreement for Municipal Food Scraps Reduction, Food Donation, and Food Scraps Recycling Program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Environmental Conservation for the receipt and use of grant funds in the amount of \$104,400 for the development of a Municipal Food Scraps Reduction, Food Donation, and Food Scraps Recycling Program. The term of the agreement shall be from June 5, 2019 through June 4, 2022.

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

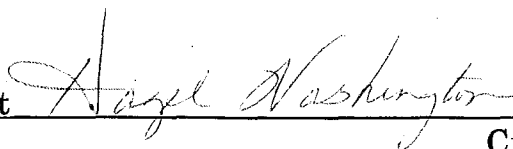
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

  
\_\_\_\_\_  
City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

---

**Rochester, N.Y., \_\_\_\_\_**

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 20, 2019** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 21, 2019** in accordance with the applicable provisions of law.

Ordinance No. 2019-267

### **Amending the Official Map to dedicate additional right-of-way as Phil Banks Way**

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

Section 1. Chapter 76 of the Municipal Code, Official Map, as amended, is hereby further amended by dedicating to street purposes the following described parcel, by naming said dedication "Phil Banks Way," and adding said dedication to its respective adjoining street, Driving Park Avenue. The parcel is more particularly described below and is depicted in maps referenced therein, which are on file with the City Clerk.

#### **PHIL BANKS WAY**

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 71 & 72 of the 20,000 Acre Tract, Township 1, Short Range and being Lot 2 as shown on a map entitled 1000 Driving Park Subdivision, dated May 9, 2019, as prepared by Fisher Associates, as filed in the Office of the Monroe County Clerk in Liber 358 of Maps, Page 94, and being more particularly bounded and described as follows:

Commencing at a point on the northerly ROW line of Driving Park Avenue (70' ROW), 252.37 feet east of the easterly ROW line of Mt. Read Boulevard (ROW Varies), said point being the Point or Place of Commencing; thence

- A) S 43° 29' 06" E, along said Driving Park Avenue ROW, a distance of 502.72 feet to the southeast corner of said Lot 2, being the Point or Place of Beginning; thence

- 1) N 46° 30' 54" E, a distance of 106.42 feet to a point of curvature; thence
- 2) Northerly, along a curve to the left, having a radius of 133.00 feet, a distance of 110.30 feet to a point of tangency; thence
- 3) N 01° 00' 11" W, a distance of 245.73 feet to a point of curvature; thence
- 4) Northerly, along a curve to the right, having a radius of 51.00 feet, a distance of 40.56 feet to a point of reverse curvature; thence
- 5) Northerly, westerly and southerly, along a curve to the left, having a radius of 69.00 feet, a distance of 326.54 feet to a point of reverse curvature; thence
- 6) Southerly, along a curve to the right, having a radius of 51.00 feet, a distance of 40.56 feet to a point of tangency; thence
- 7) S 01° 00' 11" E, a distance of 245.73 feet to a point of curvature; thence
- 8) Southerly, along a curve to the right, having a radius of 67.00 feet, a distance of 55.57 feet to a point of tangency; thence
- 9) S 46° 30' 54" W, a distance of 94.06 feet to a point; thence
- 10) N 88° 29' 07" W, a distance of 17.48 feet to the said northerly ROW line of Driving Park Avenue and the southwest corner of said Lot 2; thence
- 11) S 43° 29' 06" E, along said ROW line, a distance of 78.36 feet to the said southeast corner of Lot 2, being the Point or Place of Beginning.

Hereby intending to describe a parcel of land containing 1.037 Acres, more or less.

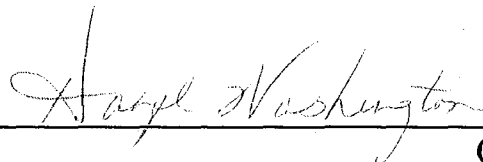
Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk





**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

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**Rochester, N.Y., \_\_\_\_\_**

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 20, 2019** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 21, 2019** in accordance with the applicable provisions of law.

Ordinance No. 2019-268

### **Appropriating funds and authorizing an agreement with Rochester Area Crime Stoppers, Inc.**

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

Section 1. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$15,000, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets to support the Crime Stoppers program.

Section 2. The Mayor is hereby authorized to enter into an agreement with Rochester Area Crime Stoppers, Inc., an organization that promotes anonymous crime tips and provides rewards for tips that result in arrests. The maximum compensation for the agreement shall be \$15,000, and said amount shall be funded from the 2019-20 Budget of the Police Department. The term of the agreement shall be one year.

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

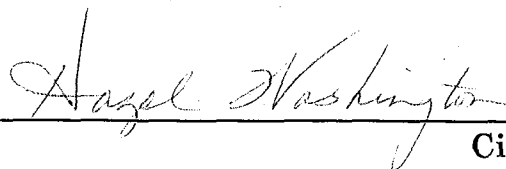
Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

A handwritten signature in cursive script, reading "Hazel Washington", written over a horizontal line.

City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

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**Rochester, N.Y., \_\_\_\_\_**

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 20, 2019** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 21, 2019** in accordance with the applicable provisions of law.

Ordinance No. 2019-269

### **Authorizing a grant agreement with the New York State Office of Victim 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 New York State Office of Victim Services for the receipt and use of grant funds in the amount of \$978,503.51 to fund salary expenses for counseling positions in the Police Department's Family and Victim Services Section. The term of the agreement shall be from October 1, 2019 through September 30, 2022.

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

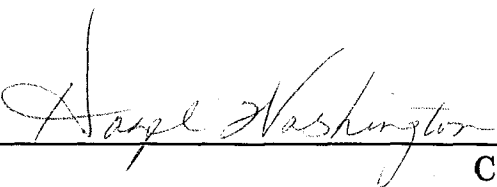
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson,  
Spaul - 8.

Nays - None - 0.

Attest

  
\_\_\_\_\_  
City Clerk



# City of Rochester

City Clerk's Office

## Certified Ordinance

Rochester, N.Y., \_\_\_\_\_

### TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 20, 2019** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 21, 2019** in accordance with the applicable provisions of law.

Ordinance No. 2019-270

#### **Amending the 2019-20 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds**

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

Section 1. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$28,400, and by increasing the revenue estimates and appropriations to the Budget of Undistributed Expenses by the sum of \$4,700, which amounts are hereby appropriated from unspent grant funds appropriated in previous budgets as shown below. Said funds shall be used for their original purpose.

Grant	RPD Carryover	Undistributed Carryover
2019 Child Passenger Safety Grant	\$ 500	\$ 0
FY2016 Complex Coordinated Terrorist Attack	\$ 4,300	1,400
Petco Foundation	\$ 4,500	0
Ranzenhofer Senate Grant	\$ 3,900	0
Sexual Assault, Domestic Violence, Dating Violence & Stalking (SADVS)	\$ 5,200	1,700

2019 Stop DWI	\$ 10,000	1,600
<b>Total</b>	<b>\$28,400</b>	<b>\$4,700</b>

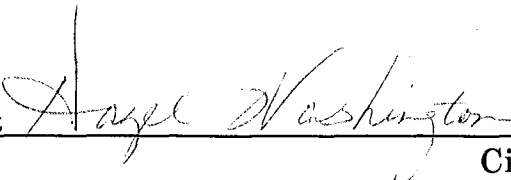
Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

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Rochester, N.Y., \_\_\_\_\_

**TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 20, 2019** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 21, 2019** in accordance with the applicable provisions of law.

Ordinance No. 2019-271

**Amending the 2019-20 Budget to fund electronic crime investigations**

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

Section 1. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$15,000, which amount is hereby appropriated from funds received from the United States Secret Service for the reimbursement of overtime costs and other expenses related to electronic crime investigations.

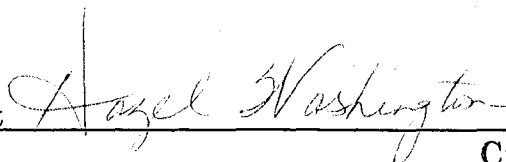
Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

  
\_\_\_\_\_

City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

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**Rochester, N.Y., \_\_\_\_\_**

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 20, 2019** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 21, 2019** in accordance with the applicable provisions of law.

Ordinance No. 2019-272

### **Authorizing an intermunicipal agreement for the Pathways to Peace program**

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement for the receipt and use of \$20,000 from the Rochester City School District (RCSD) in return for the City providing Pathways to Peace staff support at RCSD athletic and special events. The term of the agreement shall be for up to 1 year.

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

Section 3. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Department of Recreation and Youth Services by the sum of \$20,000, which amount is hereby appropriated from funds to be received under the agreement and for the purpose authorized herein.

Section 4. This ordinance shall take effect immediately.

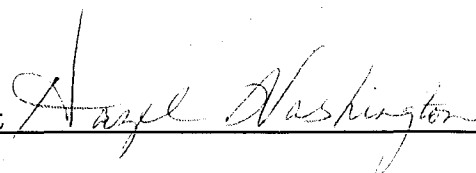


Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson,  
Spaul - 8.

Nays - None - 0.

Attest



City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

---

**Rochester, N.Y., \_\_\_\_\_**

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 20, 2019** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 21, 2019** in accordance with the applicable provisions of law.

Ordinance No. 2019-273

### **Authorizing an agreement and funding for the ROCmusic program**

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

Section 1. The sum of \$25,000 is hereby appropriated from the STEAM Engine project fund of the Consolidated Community Development Plan/2019-20 Annual Action Plan for science, technology, engineering, arts and math (STEAM) Engine programming.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement in the maximum amount of \$19,500 with Ronald Carlton Wilcox doing business as Carlton Wilcox LIVE for coordination and instruction in the Roc da Roc music production and DJ/Emcee components of the City's ROCmusic program. Said amount shall be funded from the STEAM Engine funds appropriated herein and shall have a term that extends to June 30, 2020.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest

*Aazel Washington*

City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

---

**Rochester, N.Y., \_\_\_\_\_**

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 20, 2019** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 21, 2019** in accordance with the applicable provisions of law.

Ordinance No. 2019-274

### **Authorizing an agreement for Roc Kids Read literacy programming**

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 Sophia Amaxopoulos, doing business as Learning Curve Tutoring and Educational Services, to provide afterschool literacy enrichment programming and staff professional development services for the Roc Kids Read literacy intervention program. The term of the agreement shall be 1 year with the option to renew for up to three additional terms of 1 year each. The maximum annual compensation for the agreement shall be \$41,500. The compensation for the first year shall be funded from the 2019-20 Budget of the Department of Recreation and Youth Services (DRYS). The compensation for subsequent years, if opted for, shall be funded from subsequent years' Budgets of DRYS contingent upon approval of said budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson,  
Spaul - 8.

Nays - None - 0.

Attest Hazel Washington  
City Clerk



**City of Rochester**

City Clerk's Office

# **Certified Ordinance**

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**Rochester, N.Y., \_\_\_\_\_**

## **TO WHOM IT MAY CONCERN:**

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **August 20, 2019** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **August 21, 2019** in accordance with the applicable provisions of law.

Ordinance No. 2019-275

### **Authorizing license agreements for the use of the Danforth Community Center, as amended**

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

WHEREAS, the City of Rochester has received a proposal from Exercise Express, LLC (Exercise Express) for a license to use of a portion of the premises in the Danforth Community Center located at 200 West Avenue (Danforth Community Center) for agency office space and for the delivery of exercise and wellness programming for seniors, for a term of five years with the option to extend for one additional five-year term; and

WHEREAS, the City of Rochester has received a proposal from Samaritan Woman, Inc. d/b/a Samaritan Center of Excellence, Inc. (Samaritan Woman) for a license to use of a portion of the premises in the Danforth Community Center for agency office space and the delivery of counseling and referral services for the community, for a term of five years with the option to extend for one additional five-year term, and Exercise Express' and Samaritan Woman's proposals are hereinafter referred to as the License Proposals; and

WHEREAS, consistent with Section 21-23 of the Municipal Code, the Council is following additional procedures due to the length of the License Proposals; and

WHEREAS, the term of the use provided for in each License Proposal is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the uses.

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

Section 1. The Mayor is hereby authorized to enter into a license agreement with Exercise Express for the use of a portion of the premises in the Danforth Community Center consisting of 1,800 square feet for agency office space and the delivery of exercise and wellness programming for senior citizens. The term of the license agreement shall be five years with the option to extend up to one additional five year term. Exercise Express shall be obligated to pay an annual license fee of \$18,000, which includes the cost of utilities. After the first year, the fee shall be adjusted for each subsequent year based on the Consumer Price Index for All Urban Consumers (CPI-U).

Section 2. The Mayor is hereby authorized to enter into a license agreement with Samaritan Woman, Inc. for the use of a portion of the premises in the Danforth Community Center, consisting of 1,782 square feet for agency office space and the delivery of counseling and referral services for the community. The term of the license agreement shall be five years with the option to extend up to one additional five year term. Samaritan Woman shall be obligated to pay an annual license fee of \$17,820, which includes the cost of utilities. After the first year, the fee shall be adjusted for each subsequent year based on the Consumer Price Index for All Urban Consumers (CPI-U).

Section 3. Ordinance No. 2019-161, the 2019-20 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Department of Recreation and Youth Services by the sum of ~~\$35,820~~ \$35,800, which consists of the first-year license fees provided for in Sections 1 and 2 hereof.

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

Section 5. This ordinance shall take effect immediately.

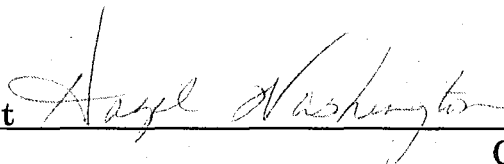
Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - Councilmembers Clifford, Evans, Gruber, Harris, Lightfoot, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Attest



City Clerk