

ROCHESTER CITY COUNCIL

REGULAR MEETING

January 21, 2020

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

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

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

Special Recognition:

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

Retirement:

DRYS:

*Michael Velazquez

DES:

*Theodore Snacki

RPD:

*Garth Mitchell
*Mark Walker

**Not attending meeting*

APPROVAL OF THE MINUTES

By Councilmember Peo

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

Adopted unanimously.

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

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

January 21, 2020

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

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

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

-None Presented

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

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

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

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

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

By Councilmember Evans
January 21, 2020

To the Council:

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

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

January 21, 2020

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

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

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

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

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

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

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

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

January 21, 2020

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

Resolution approving reappointments to the Rochester Public Library Board of Trustees

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

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

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

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

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

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

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

January 21, 2020

Authorizing agreement and funding for the Financial Empowerment Centers Initiative

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Economic Development Corporation for the receipt and use of \$75,000 in funding to implement the Financial Empowerment Centers Initiative.

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

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

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

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

Permanent Panel Members (5-year term)

Gerard Roberts, 32 Berkeley Street, Rochester, NY 14607

Temporary Panel Members (1-year term)

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

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

Mark Ballou, 409 Park Avenue, Rochester, NY 14607

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

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

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

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

Respectfully submitted,
Loretta C. Scott
President

Attachment No. AT-1

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

January 21, 2020

Resolution approving appointments to the Board of Assessment Review

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

Section 1. The Council hereby approves the appointment of

Gerard Roberts
32 Berkeley Street
Rochester, NY 14607

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

Section 2. The Council hereby approves the appointments of

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

And

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

And

Mark Ballou
409 Park Avenue
Rochester, NY 14607

And

Gary D. Thomas
1 Bly Street
Rochester, NY 14620

And

Christopher S. Tillet
650 Seneca Parkway
Rochester, NY 14613

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

Section 3. This resolution shall take effect immediately.
Adopted unanimously.

January 21, 2020

TO THE COUNCIL

Ladies and Gentlemen:

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-2

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

January 21, 2020

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

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

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

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

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

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

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

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

January 21, 2020

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

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

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

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

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

Exhibit A
2019-20 CONSTRUCTION PROJECTS

School Name	Project Description	Budget
School #5 John Williams	Relocate and reconstruct playground. Relocate ball diamond. Repoint masonry and dean decorative stonework at front entry. Complete other BCS masonry items. Construct parking along Verona Street west of the school. Construct canopy over loading dock area. Install door from music room to adjacent Instrument storage room.	\$ 1,068,000
School #12 Anna Murray- Douglass Rec Academy	Renovations to Douglass Rec Center. This construction work is to be completed in 2021.	\$ 1,980,000
School #20 Henry Lomb	Reconstruct playground. Replace damaged precast lintels, deteriorated steel lintels and repaint masonry. Window replacement with dual glazed system and integral blinds. Mill and resurface bus drive and replace fencing at main parking lot. Replace emergency generator and relocate unit to roof of boiler room. Replace boilers, heating system zone pumps, convert pneumatic controls to electronic, replace boiler room lighting and other mechanical work within the boiler room. Replace inaccessible lights in stair towers with LED fixtures.	\$ 2,625,000
School #23 Francis Parker	Reconstruct cupola and replace original weather vane. Masonry reconstruction, building cleaning and handicap (HC) ramp railing replacement. Reconstruct front interior steps. Adjust front walk for HC accessible route. Add HC lift. Replace front doors. Window replacement with dual glazed system and integral blinds. Install HC lift for stage access on front of stage. Replace clock system. Reconstruct classroom used as a cafeteria. Provide storage area, DOH required sinks and cooler with freezer. Reconstruct Pre-K classroom with a	\$ 3,117,000

	toilet. Replace toilet partitions in boys' toilet rooms. Provide bus pull-off on Barrington Street. Provide infill of tree lawn along Milburn street at bus drop off areas.	
School #106 RISE Community	Replace generator and relocate unit to boiler room roof. Replace PA system. Complete boiler room concrete floor, wall and roof structure reconstruction. Replace rooftop ventilators, louvers and controls. Replace pneumatic controls. Reconstruct roof structure in gym area classrooms on third floor.	\$ 970,000
School #46 Charles Carroll	Complete parking lot extension and site lighting. Replace PA system. Construct security vestibule at north entry with new HC lift. Alter front reception counter in main office. Reconstruct former locker room areas into student support service offices. Remove partition wall between former toilet rooms adjacent to library and improve for pull-out spaces. Replace stage curtains. Upgrade elevator and create exterior vestibule receiving space.	\$ 1,556,000
Rochester Early Childhood Education Center	Extend playground green space and provide additional fencing. Remove existing abandoned toilet area in basement and reconstruct area. Reconstruct second floor toilet area. Remove asbestos and reconstruct corridor wall in basement service area. Replace PA system and clocks.	\$ 1,750,000
Charlotte Campus	Redirect funds for Athletic field improvements to complete additional masonry reconstruction in various areas. Masonry repairs on grounds storage building, replace lighting, replace overhead and entry doors.	\$ 730,000
School of the Arts	Skylight base flashing reconstruction and cap plate replacement. Replace boiler, draft fans, supply and return loop pumps. Replace domestic hot water tank.	\$ 1,410,000
Joseph C. Wilson Foundation Academy	Redirect funds for Athletic field improvements from press box to athletic area toilet improvements. Replace pool filtration system. Add water fountains to 2 nd floor wings.	\$ 389,000
Service center	Replace transportation building bus lift and complete other BCS items. Replace guard booth. Replace bus wash system.	\$ 785,000
Total 2019-20 RCSD CIP Bond Request		\$16,380,000

January 21, 2020

Passed by the following vote:

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

Nays: None -0

Councilmembers Harris and Lupien abstained due to a professional relationship.

By Councilmember Patterson
January 21, 2020

To the Council:

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

Int. No. 4 Authorizing the sale of real estate

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

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

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

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

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

January 21, 2020

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

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

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-3

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

Authorizing the sale of real estate

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

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

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

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

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

January 21, 2020

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-5
Re: Zoning Map Amendment – multiple
properties on Clifford Avenue, Theodore
Street, and Maria Street

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

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

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

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

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

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-4

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

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

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

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

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

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

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

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

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

January 21, 2020

By Councilmember Gruber
January 21, 2020

To the Council:

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

- Int. No. 6 Authorizing appropriations and amending Section 3 of Ordinance 2018-335 for the 2018 Preventive Maintenance Northeast Group 1
- Int. No. 7 Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor
- Int. No. 8 Authorizing funding and agreement for the 2019 Preventive Maintenance Northwest Group 5 project
- Int. No. 9 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$580,000 Bonds of said City to finance the costs of the 2019 Northwest Highway Preventive Maintenance Group 5 project
- Int. No. 10 Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor
- Int. No. 11 Authorizing the implementation, and funding in the first instance 100% of the federal-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefor
- Int. No. 12 Authorizing funding and agreement for the High Falls Overlook Feasibility Study
- Int. No. 14 Authorizing an intermunicipal agreement with the Town of Brighton for the chip seal and/or mill and paving of City streets adjacent to the Town’s street rehabilitation projects
- Int. No. 15 Authorizing an agreement for the Pedestrian Safety Action Plan Phase III project
- Int. No. 16 Authorizing funding and agreement for the Rochester Running Track Bridge Improvements Phase 1 project
- Int. No. 17 Authorizing the implementation and funding in the first instance of the State-aid Program eligible costs of a capital project and appropriating funds therefor

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

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

January 21, 2020

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

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

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

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

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

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

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

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

Construction started in spring 2019 and is substantially complete.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-5

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

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

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

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

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

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

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

January 21, 2020

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

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

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

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

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

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

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

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

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2020-7
Ordinance No. 2020-8
Resolution No. 2020-8
Re: 2019 Preventive Maintenance Northwest
Group 5 (Beach Avenue, Dewey

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Avenue and Lake Avenue)

Council Priority: Jobs and Economic
Development
Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

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

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

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

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

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

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

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

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

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

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AT-6

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

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

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

Section 1. The sum of \$3,095,200 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to fund a portion of the cost of construction and

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construction inspection services for the 2019 Preventive Maintenance Northwest Group 5 project (the Project).

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

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

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

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

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$580,000 Bonds of said City to finance the costs of the 2019 Northwest Highway Preventive Maintenance Group 5 project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of the 2019 Northwest Highway Preventive Maintenance Group 5 project on Beach Avenue from Lake Avenue to the City Line, on Dewey Avenue from Eastman Avenue to the north City Line, and on Lake Avenue from the Lake Ontario State Parkway to Beach Avenue (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,475,707. The plan of financing includes the issuance of \$580,000 in bonds of the City, which amount is hereby appropriated therefor, \$3,095,200 in anticipated reimbursements from the Federal Highway Administration appropriated in a concurrent ordinance, \$580,350 in State Marchiselli Aid appropriated in a concurrent ordinance, \$618.88 in 2013-14 Cash Capital, \$96,215.32 in 2015-16 Cash Capital, \$22,007.44 in 2016-17 Cash Capital, \$5,124.36 in 2017-18 Cash Capital, \$96,191.00 in anticipated reimbursements from Pure Waters authorized in Ordinance No. 2016-160 and hereby appropriated therefor, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$580,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local

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Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$580,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of Section 11.00 a. 20. of the Law, is fifteen (15) years.

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

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

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

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

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

Passed unanimously.

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

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

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

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

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

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

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

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

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

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

January 21, 2020

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

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

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-7

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

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

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

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

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

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

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

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

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

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

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

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

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

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

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funding appropriated herein was awarded by the Honorable Governor Andrew Cuomo through the ROC the Riverway initiative.

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

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

Authorizing funding and agreement for the High Falls Overlook Feasibility Study

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

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

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

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

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

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

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

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

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

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

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-9

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

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

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

Section 1. The Council hereby approves the following pavement width changes to Sager Drive between Culver Road and East Boulevard to include a variable increase from the existing 19 to 50-foot wide unimproved paved width to a proposed width of 18 to 55 feet in order to create an 18-foot wide one-

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way travel lane and approximately 89 angled parking spaces that extend 18.5 feet from the edges of both the northern and southern sides of said travel lanes.

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

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

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

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-10

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

January 21, 2020

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

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

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

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

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

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

Council Priority: Public Safety
Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

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

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

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

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

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

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

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

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

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

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

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

1. Appropriate \$90,000 in anticipated reimbursements from ROC the Riverway/Upstate Revitalization Initiative funding administered by the New York State Department of Transportation (NYSDOT) to finance the engineering and design of the project; and,

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

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-11

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

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

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

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

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. in the maximum amount of \$120,000 to provide engineering and design services for the Project. Said amount shall be funded in the amounts of \$90,000 from the NYSDOT reimbursements appropriated in Section 1 hereof and

January 21, 2020

\$30,000 in 2018-19 Cash Capital. The term of the agreement shall continue to three months after completion of a two-year guarantee inspection of the Project.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

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

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

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

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

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

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

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

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

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

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

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

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

THAT this Resolution shall take effect immediately.

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Adopted unanimously.

By Vice-President Lightfoot
January 21, 2020

To the Council:

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

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

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

Received filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

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

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

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

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

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Justice for the receipt and use of \$12,000 for the Police Department to participate in a joint investigation targeting an organization involved in narcotics trafficking and violence in the City of Rochester.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

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

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

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

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

January 21, 2020

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

Respectfully submitted,
Lovely A. Warren
Mayor

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

Authorizing an intermunicipal agreement and funding for the STOP DWI Program

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe for the City's receipt and use of \$133,600 in New York State funding for the 2020 STOP DWI Program. The term of the agreement shall be one year.

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

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

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

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

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

Authorizing an intermunicipal agreement and funding for the DWI Crackdown Weekend Enforcement Grant

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe for the receipt and use of the 2019-20 STOP DWI Foundation, Inc. Crackdown Weekend Enforcement Grant in the amount of \$4,700. The term of agreement shall be one year.

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

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

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

Council Priority: Public Safety

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

Background – AMR, formerly Rural/Metro Medical Services of Rochester, NY (“Rural/Metro”) has provided emergency ambulance service for the City since 1988 pursuant to agreements authorized by City Council in 1988, 1992, 1996, 2002, 2007 and 2012. The current agreement expires on

January 21, 2020

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

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

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

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

Review Summary - In most of the key areas cited in the RFP, Rural/Metro and Monroe were not judged as comparable. While both companies agreed to conform to all of the RFP requirements, (including: appropriate staffing of both Advanced Life Support and Basic Life Support ambulance units; response time performance standards; providing the necessary vehicles, supplies and equipment; vehicle preventive maintenance system and vehicle repairs; use of the Rochester Emergency Communications Department (ECD) to monitor all vehicular movements; connecting their computer aided dispatch system to ECD for recording of response data), Monroe's response lacked sufficient information and detail to determine the extent of their operations and their ability to perform services pursuant to a contract with the City. Both companies require pre-employment drug testing. And while neither requires random drug testing throughout employment, they require testing if there is reasonable suspicion to suspect drug usage or when an employee is involved in a motor vehicle accident.

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

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

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

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includes increasing ambulances to be deployed at peak times. AMR consistently monitors and updates their deployment practices.

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

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

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AT-12

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

Authorizing an agreement for emergency ambulance services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with National Ambulance & Oxygen Service, Inc. d/b/a American Medical Response (hereinafter, AMR) for the provision of emergency ambulance services within the City, when the City requests ambulance services, or when the City receives a request for ambulance services through 911, and for the provision of standby services at emergency scenes and special events. The agreement shall provide for both basic life support (BLS) and advanced life support (ALS) services to be provided in accordance with certain response time parameters. The agreement shall provide that the rates to be accepted from individual payees shall not exceed the applicable Medicare, Medicaid, or usual and customary rates from other payers for such services and that AMR shall accept the Medicare allowable charge as payment in full for the uninsured. The agreement shall specify penalties for failure to meet agreement requirements. The agreement shall extend for a term of four years, with two renewal options of one year each.

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

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays – None-0.

Councilmember Harris abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-18

Re: Grant Agreement, Rochester Area
Community Foundation

Council Priority: Creating and sustaining a
culture of vibrancy

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

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

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

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

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

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Respectfully submitted,
Lovely A. Warren
Mayor

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

Authorizing a grant agreement and funding for Maguire Building improvements

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Area Community Foundation for the receipt and use of funding in the amount of \$460,000 for improvements to the Maguire Building located at 448 Smith Street near the Rochester Community and Youth Sports Complex. The term of agreement shall be 15 months.

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

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays – None-0.

Councilmember Evans abstained due to a professional relationship.

By President Scott
January 21, 2020

To the Council:

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

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

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

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

January 21, 2020

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

TO THE COUNCIL
Ladies and Gentlemen:

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

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

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

Those selected to serve on the PAB are as follow:

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

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

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Respectfully Submitted,

Loretta C. Scott
President

Willie J. Lightfoot
Vice President

Malik D. Evans
Councilmember

Mitch Gruber
Councilmember

LaShay D. Harris
Councilmember

Mary Lupien
Councilmember

Jacklyn Ortiz
Councilmember

Michael A. Patterson
Councilmember

Jose Peo
Councilmember

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

Approving appointments to the Police Accountability Board

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

Section 1. The Council hereby approves the appointment to the Police Accountability Board of the following person appointed by the Mayor for a term that shall expire on June 30, 2020:

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

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

Name	Address (City Council District)
Ida Perez	123 Scrantom St., Rochester 14605 (Northeast)
Dr. Robert Harrison III	91 Berkeley St., Rochester 14607 (East)
Rev. Matthew Nickoloff	360 Linden St., Rochester 14620 (South)
Rabbi Drorah Setel	339 Seneca Parkway, Rochester 14613 (Northwest)

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

Name	Address
Jonathan Dollhopf	36 Rugby Ave., Rochester 14619
Miquel Powell	446 Alexander St. Apt. 3, Rochester 14605

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Shani Wilson

1 Pleasant St. Apt. 506, Rochester 14604

Dr. Celia McIntosh

108 Merrill St., Rochester 14615

Section 4. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Introductory No. 28

Re: Confirmation of the Chief Technology
Officer

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

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

Respectfully submitted,
Lovely A. Warren
Mayor

RESOLUTION CONFIRMING THE APPOINTMENT OF THE CHIEF TECHNOLOGY OFFICER

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

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

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

This resolution shall take effect immediately.

HELD IN COMMITTEE.

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

HAZEL L. WASHINGTON
City Clerk