

ROCHESTER CITY COUNCIL

REGULAR MEETING

July 21, 2020

Due to the social distancing and other health and safety measures necessary to slow the progress of the COVID-19 pandemic and in accordance with emergency Executive Orders issued by the Governor and Local Emergency Orders issued by the Mayor, the meeting was conducted via video conferencing on Zoom and streamed live for public viewing on the Internet via the Council's Facebook and YouTube pages and on City 12, the City's government access channel that is available to Spectrum Cable subscribers – Channel 1303.

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

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

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

**Retirement:**

**DES:**

- \*Thomas Belknap
- \*Laura Nobles

**DRYS:**

- \*Robert Mulvaney

**IT:**

- \*Phong Huynh

**NBD:**

- \*Marguerite Parrino

**RPD:**

- \*Peter Leach
- \*Deborah Podgers

*\*Not attending meeting*

**APPROVAL OF THE MINUTES**

By Councilmember Ortiz

RESOLVED, that the minutes of the Regular Meeting on June 16, 2020 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

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

Administrative Cancellation or Refund of Erroneous Taxes – Jan/March 2020 -4327-20

The Council submits Disclosure of Interest Forms from Vice President Lightfoot on Int. No. 269, Councilmember Harris on Int. No. 251, Int. No. 270 and Int. No. 292.

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

None

**THE COUNCIL PRESIDENT** --- RECEIVED AND FILED.

**PUBLIC HEARINGS.**

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

Authorizing an amendatory agreement and geometric changes for the East Main Street Improvement Project Int. No. 263  
Two Speakers

Authorizing geometric changes to pavement widths adjacent to 275 East Avenue (Inner Loop Transformation Site 3) Int. No. 265  
No Comments

Approving geometric changes on Exchange Boulevard and the receipt of funding for electrical and lighting improvements related to the West River Wall Segment 1 Project Int. No. 266  
No Comments

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

REPORTS OF STANDING COMMITTEES  
AND ACTION THEREON

By Councilmember Evans  
July 21, 2020

To the Council:

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

- Int. No. 246 Establishing a City policy for paid leave for victims of domestic violence
- Int. No. 247 Authorizing an amendatory agreement for independent legal counsel
- Int. No. 287 Authorizing a professional services agreement with WXXI Public Broadcasting Council for broadcast of City Council Meetings
- Int. No. 288 Authorizing an agreement with General Code, LLC for publication of the City Charter and Code
- Int. No. 289 Authorizing an amendatory agreement for expert witness services for the Law Department
- Int. No. 290 Amending Ordinance No. 2020-164 as it relates to the charges for the two South Avenue Open Space districts to be inserted in the tax rolls for the 2020-21 fiscal year
- Int. No. 291 Local Law amending the City Charter with respect to the Division of Planning
- Int. No. 292 Local Law amending the Charter of the City of Rochester with respect to budget requirements for the City School District

Respectfully submitted,  
Malik Evans  
LaShay D. Harris (*Abstained on Int. No. 292*)  
Michael A. Patterson  
Willie J. Lightfoot  
Loretta C. Scott (*Absent*)  
FINANCE COMMITTEE  
Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-206  
Re: Establishing City Policy for Paid  
Leave for Victims of Domestic Violence

Council Priority: Jobs and Economic Development;  
Public Safety

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation to develop a City policy that allows City of Rochester employees who are victims of domestic violence to take paid leave.

The policy will provide victims of domestic violence the ability to take paid leave to seek medical attention, obtain legal advice, appear at related court proceedings, or obtain services for shelter, counseling or overall safety planning. The policy will also allow employees to use paid leave to seek medical attention or counseling for an immediate family member related to a domestic violence incident. Employees will be able to utilize existing leave banks to be paid for such leave, to the extent permissible under any applicable collective bargaining agreement. Employees without any available paid leave will be approved for Authorized Unpaid Leave.

Tragically, domestic violence permeates the lives of many individuals and compromises their safety each day, with potentially destructive and fatal results. Domestic violence occurs within a wide spectrum of relationships and can also occur between members of the same family or household. During the COVID-19 pandemic, reports of domestic violence increased in New York State.

The City of Rochester remains committed to ensuring the safety and security of all City of Rochester employees. This includes promoting safety in the workplace and responding immediately and effectively to the needs of employees who may be the victims of domestic violence. Access to legal assistance and supportive services is critical for victims of domestic violence, and this policy will ensure employees can take time to seek the assistance and/or protection they need.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Respectfully submitted,  
Willie Lightfoot  
Council Vice President

Ordinance No. 2020-206  
(Int. No. 246)

**Establishing a City policy for paid leave for victims of domestic violence**

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

Section 1. The Council hereby authorizes the establishment of a policy to allow City of Rochester employees who are victims of domestic violence to take paid leave to seek medical attention, obtain legal advice, appear at related court proceedings, or obtain services for shelter, counseling, or overall safety planning. The policy also shall allow employees to use paid leave to

seek medical attention or counseling for an immediate family member related to a domestic violence incident.

Section 2. The Mayor shall establish a City policy for paid leave for victims of domestic violence to be consistent with the authorization in Section 1. The policy shall contain such additional provisions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-207  
Re: Amendatory Agreement – Emery, Celli,  
Brinkerhoff & Abady, LLP –  
Legal services relating to PAB

Transmitted herewith for your approval is legislation establishing \$70,000 as maximum compensation for an amendatory agreement with Emery, Celli, Brinkerhoff & Abady, LLP, New York, NY (principal: Andrew Celli) for legal services relating to the pending lawsuit regarding the Police Accountability Board (PAB) legislation. The current agreement with Emery, Celli, Brinkerhoff & Abady, LLP, is set to expired May 21, 2021, this legislation will also authorize the option for up to two 1-year renewals of this contract.

The original agreement for \$50,000 was authorized by Ordinance Number 2019-113 for general legal counsel regarding the PAB legislation. The agreement was amended by \$50,000 authorizing by Ordinance Number 2020-19. This amended will increase total compensation to \$170,000. This amendatory agreement will be funded by the 2020-21 Budget of the City Council and Clerk.

Emery, Celli, Brinkerhoff & Abady, LLP is providing discounted services and capped legal fees for the Council for the appeal of this case. This funding will cover the costs associated for an Appeal to the Fourth Department, Appellate Division and if necessary, the Court of Appeals.

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

Respectfully submitted,  
Loretta C. Scott  
President

Attachment No. AT-121

Ordinance No. 2020-207  
(Int. No. 247)

**Authorizing an amendatory agreement for independent legal counsel**

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

Section 1. Pursuant to City Charter § 5-21(D), the Council President is hereby authorized to enter into an amendatory professional services agreement with Emery Celli Brinckerhoff & Abady LLP to continue to provide independent legal counsel relating to the establishment and operation of a police accountability board. The maximum compensation for the agreement originally authorized in Ordinance 2019-113 and as amended in Ordinance No. 2020-19 is hereby increased by \$70,000 to a total amount of \$170,000 and the term of the agreement is hereby modified to authorize up to two additional one-year extensions if budgeted funds remain. The amendatory compensation amount shall be funded from the 2020-21 Budget of City Council and Clerk.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-208  
 Re: Agreement with WXXI to Broadcast  
 City Council Meetings

Transmitted herewith for your approval is legislation establishing \$58,500 as maximum compensation for a three-year professional services agreement with WXXI Public Broadcasting Council to continue to provide technical staff for the live broadcasts of City Council Meetings.

WXXI has been operating the equipment since the inception of live broadcasts in January 2008. These contract services have enabled a seamless feed from the Chambers to the City Channel 12, which is operated by WXXI.

As part of this contract, WXXI staff will set up the City’s broadcast equipment prior to each Council session, test the audio/video signal being transmitted to WXXI’s State Street studio, and provide technical direction, video recording, master control, and closed captioning services for both in-person or virtual meetings. They will use an AI system for captioning that provides a reasonable level of accuracy, and caption revisions will be for Committee and City Council meetings. The agreement will provide funding for the broadcast of regular monthly City Council meetings, City Council committee meetings, two full-day budget hearings, web streaming, plus an allocation for two organization meetings and contingency. The WXXI agreement will be funded from the 2020-21 budget as well as future budgets of the City Council/City Clerk.

The basic fees for each of the years of the agreement are as follows:

Council meetings	\$600	per meeting
Committee meetings/public hearings	\$600	per meeting
Organization meetings	\$600	per meeting
All –day budget hearings	\$1,350	per meeting
Web streaming, monthly	\$100	per month
Caption revisions for Council and Committee meetings	\$1.25	per minute

Respectfully submitted,  
Loretta Scott  
President

Malik D. Evans  
Finance Chair

Attachment No. AT-122

Ordinance No. 2020-208  
(Int. No. 287)

**Authorizing a professional services agreement with WXXI Public Broadcasting Council for broadcast of City Council Meetings**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with WXXI Public Broadcasting Council to broadcast City Council Meetings for a term of three years. The maximum annual compensation shall be \$19,500, which shall be funded from the 2020-21 and subsequent years' budgets of the City Council and Clerk, contingent upon adoption of the subsequent years' budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

**TO THE COUNCIL**

Ladies and Gentlemen:

Ordinance No. 2020-209

Re: Publication of the City  
Charter and Code

Transmitted herewith for your approval is legislation establishing maximum compensation of \$57,600 for a three-year professional services agreement with General Code, LLC for maintenance and publication of the City Charter and Code in both paper and Internet versions. The cost of the proposed agreement will be funded from the 2020-21 and future budgets of the City Council/City Clerk.

The proposed agreement will provide for continued maintenance of the Charter and Code through the preparation of new sections and amendments as approved by the City Council and signed into law by the Mayor, including both the paper and Internet versions of these volumes. As part of this agreement, General Code will continue to work with the City's Law Department to ensure that both the Internet and paper versions of the City Charter and Code accurately reflect laws as adopted.

The agreement has a provision for the publication of pamphlets, containing reprints of specified sections of the Code, for individual departments and

bureaus, the cost to be borne by the offices requesting such pamphlets. In addition, the agreement provides for the printing and delivery to the City, on a quarterly basis, of all revisions to the Charter and Code.

This agreement also includes monthly updates on the Internet version of the Charter and Code. The agreement with General Code will be funded from the 2020-21 budget as well as future budgets of the City Council/City Clerk.

Respectfully submitted,  
Loretta Scott  
President

Malik D. Evans  
Finance Chair

Attachment AT-123

Ordinance No. 2020-209  
(Int. No. 288)

**Authorizing an agreement with General Code, LLC for publication of the City Charter and Code**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with General Code, LLC to publish the City Charter and Code and to provide for continued maintenance of the Charter and Code in paper and electronic versions including monthly updates to the electronic version. The agreement shall have a term of three years and a maximum annual compensation of \$19,200, which annual amount shall be funded from each of the 2020-21 and subsequent two years' budgets of the City Council and Clerk, contingent upon adoption of the subsequent budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2020-210  
Re: Amendatory Agreement – Expert Witness Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Crash Data Specialists LLC and its principal, Jon Northrup (resident of Webster, New York), for the continued provision of expert accident reconstruction services. The amendatory agreement will increase the maximum fee payable under the prior agreement entered into in January, 2019 by \$10,000 to a total of \$25,000. Said amount shall be funded from the current or future Budgets of the Law Department for the fiscal year in which the fee for services is incurred, contingent upon the approval of the future budgets.



Since 2015 CDS and its principal, Jon Northrup, have provided expert services to the Law Department by reconstructing accident scenes, obtaining “black box” information from accident vehicles, and providing reports, affidavits and testimony of the same. These services are provided promptly and at the reasonable cost of \$150.00 per hour. Most recently, as authorized by Ordinance No. 2018-353, the Law Department entered into the January 2019 contract with CDS for an amount not to exceed \$15,000; the term of that agreement extends “until the completion of the cases for which the expert’s services are requested.” Presently, CDS is working with the City on two pending cases involving motor vehicle accidents: *Lewis v. Desta, et al.* and *Levin v. City of Rochester, et al.* The Law Department anticipates that it may require up to \$10,000 worth of additional expert services for these two cases, and therefore, seeks to increase the fee payable by \$10,000. The term of the amendatory agreement may extend until completion of these cases.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-210  
(Int. No. 289)

**Authorizing an amendatory agreement for expert witness services for the Law Department**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Crash Data Specialists LLC to provide additional expert witness services in conjunction with pending and future litigation. The agreement authorized in Ordinance No. 2018-353 shall be amended to increase the maximum compensation by \$10,000 to a new total of \$25,000. The increase in compensation shall be funded by the current or future Budgets of the Law Department for the fiscal year in which the fee for services is incurred, contingent upon the approval of the future budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-211

Local Law #4

Local Law #5

Re: 2020-21 Budget Technical Amendment  
and Charter and Code Changes

Council Priority: Deficit Reduction and Long  
Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering  
Prosperity & Opportunity

Transmitted herewith for your approval is legislation that will:

1. Amend Ordinance 2020-164 to correct the split of the South Avenue Open Space District charges as approved by Local Improvement Ordinance No. 1763 to be \$4,847.39 for Zone 1 and \$4,052.61 for Zone 2;
2. Authorize Charter changes initially proposed in the June, 2020 transmittal to City Council for the 2020-21 Budget as follows:
  - a. Amend the City Charter to transfer the Division of Planning from the Department of Neighborhood and Business Development in Article X to the Mayor's Office in Article III; and
  - b. A local law is proposed allowing for a temporary, one-year exception for the Rochester City School District from the requirement per Section 3-9.1 D of the City Charter that the RCSD budget contain an amount of at least \$10,000,000 for Cash Capital. This is proposed as a temporary measure to provide RCSD with additional budgetary flexibility to balance its 2020-21 budget. Council authorized a similar exception for the district's 2019-20 budget with Local Law #1 in December, 2019.

The initial split between the zones for the South Avenue Open Space District was incorrectly calculated. This legislation will confirm the assessments levied on the 2020-21 tax billing.

The two Charter changes were initially submitted as part of the 2020-21 Budget adoption in June, 2020 however the legislation necessary to adopt both were inadvertently excluded from what was submitted to Council for adoption.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-211  
(Int. No. 290)

**Amending Ordinance No. 2020-164 as it relates to the charges for the two South Avenue Open Space districts to be inserted in the tax rolls for the 2020-21 fiscal year**

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

Section 1. Section 1 of Ordinance No. 2020-164 is hereby amended by modifying the assessments, amounts and charges for the two South Avenue Open Space Districts as follows:

- a. changing the charges for South Avenue Open Space 1 from \$4,441.42 to \$4,847.39; and
- b. changing the charges for South Avenue Open Space 2 from \$4,458.58 to \$4,052.61.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Local Law # 4  
(Int. No. 291)

**Local Law amending the City Charter with respect to the Division of Planning**

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended in Article X, Department of Neighborhood and Business Development, by repealing in its entirety Section 10-4, Division of Planning.

Section 2. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester”, as amended, is hereby further amended by adding to Article III, Mayor, a new Section 3-7 to read in its entirety as follows:

**§ 3-7. Division of Planning.**

A. There shall be a Division of Planning, the head of which shall be the Manager of Planning.

B. The Division of Planning shall conduct and coordinate the City's physical, environmental and transportation planning. The Manager of Planning shall undertake studies of the physical, economic and social factors relevant to the well-being of the City. The Manager shall be responsible for preparing and maintaining a Comprehensive Development Plan for the City; reviewing the conformity of municipal and private proposals to the City's development objectives; collecting, cataloging and analyzing data on demographic, economic and physical characteristics of the City; and coordinating the City's planning programs with those of the Genesee/Finger Lakes Regional Planning Council, the Monroe County Department of Planning and the Genesee Transportation Council.

C. The Division of Planning shall also be responsible for planning and coordinating projects and programs for the conservation and revitalization of the City's neighborhoods in accordance with the Comprehensive Development Plan.

Section 3. This local law shall take effect on July 1, 2020 or immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law, whichever occurs later.

Passed unanimously.

Local Law #5  
(Int. No. 292)

**Local Law amending the Charter of the City of Rochester with respect to budget requirements for the City School District**

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

Section 1. Chapter 755 of the Laws of 1907, entitled “An Act Constituting the Charter of the City of Rochester,” as amended, is hereby further amended by adding Subsection D(4) to Section 3-9.1, Allocation of funding and debt-incurring power between City and City School District, to read in its entirety as follows:

4. Notwithstanding § 3-9.1D(2) of the City Charter, there shall be no minimum cash capital requirement for the 2020-21 fiscal year budget of the City School District.

Section 2. This local law shall take effect upon its filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

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

Nays – None-0.

Councilmember Harris abstained due to a professional relationship.

By Councilmember Patterson  
July 21, 2020

To the Council:

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

- |              |   |
|--------------|---|
| Int. No. 248 | Authorizing a lease agreement with UGI Energy Services, LLC   |
| Int. No. 249 | Authorizing a lease agreement for the Office of Public Integrity  |
| Int. No. 250 | Authorizing a lease agreement for the Northwest Neighborhood Service Center   |
| Int. No. 251 | Amending Ordinance No. 2020-99 as it relates to land acquisitions for the Flower City School No. 54 campus modernization project                        |
| Int. No. 252 | Authorizing a loan agreement for the North Clinton, East Main, Culver Road Rental Housing Project   |
| Int. No. 253 | Authorizing the transfer of a payment in lieu of taxes agreement for Charlotte Harbortown Homes   |
| Int. No. 254 | Authorizing an agreement for the Project Phoenix program  |
| Int. No. 255 | Authorizing an amendatory intermunicipal agreement with the County of Monroe to fund enforcement of the Lead-Based Paint Poisoning Prevention ordinance |

Respectfully submitted,  
Michael A. Patterson

Mary Lupien (*Voted against Int. No. 253*)  
Jacklyn Ortiz  
Willie J. Lightfoot  
Loretta C. Scott (*Absent*)  
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-212  
Re: Lease Agreement – UGI Energy Services, LLC,  
1000 N. River St, Port Terminal Building

Council Priority: Creating and Sustaining a Culture  
of Vibrancy

Comprehensive Plan Area: Fostering Prosperity  
and Opportunity

Transmitted herewith for your approval is legislation authorizing a lease agreement between the City of Rochester and UGI Energy Services, LLC, (Michael C. Gibbs, Vice President, 835 Knitting Mills Way, Wyomissing, PA). The applicant will lease approximately 2,651 square feet of space in the Port Terminal Building (Suite 201). The current monthly rental amount is \$2,210. The new monthly rental amount will also be \$2,210 calculated at a rate of \$10 per square foot annually, which was established through an independent appraisal performed by Kevin Bruckner, MAI, of Bruckner, Tillet, Rossi, Cahill & Associates, Inc. as of February 2020. The term will be three (3) years.

UGI Energy Services, a subsidiary of UGI Corporation (a publicly traded fortune 500 company) supplies and markets natural gas, liquid fuels, and electricity to over 40,000 consumer locations across the Mid-Atlantic and Northern United States. UGI Energy Services, LLC has leased suite 201 in the Port Terminal Building since August 1, 2018, authorized in July 2018 through Ordinance No. 2018-228, their current lease is set to expire on July 31, 2020.

UGI Energy Services has five full time jobs for local residents and offers additional workspaces for a regional traveling sales team. UGI Energy Services is currently consolidating regional field offices and the Port of Rochester was chosen over an office in the Southern Tier of New York.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-124

Ordinance No. 2020-212  
(Int. No. 248)

**Authorizing a lease agreement with UGI Energy Services, LLC**

WHEREAS, the City of Rochester has received a proposal for the lease of space in the Port Terminal Building located at 1000 North River Street;

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is required to follow additional procedures due to the length of the proposed lease; and

WHEREAS, the Council affirmatively finds that the term of such proposed lease, which is three years, is reasonable and necessary in light of the lease's intended purpose and that the public will benefit throughout that term.

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

Section 1. The Mayor is hereby authorized to enter into a lease agreement with UGI Energy Services, LLC for use of 2,651 square feet of space in Suite 201 of the Port Terminal Building. The agreement shall have a term of three years.

Section 2. The monthly rental amount shall be \$2,210.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-213

Re: Lease Agreement- Buckingham Properties  
LLC, Buckingham Commons Building,  
Office of Public Integrity Office Space

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation approving a lease agreement between the City of Rochester and Buckingham Properties LLC a/k/a 85 Allen, LLC (Rich Finley, President and Chief Operating Officer, 259 Alexander Street, Rochester, NY) for the continued use of 2,296 square feet of space in the Buckingham Commons building at 85 Allen Street to accommodate the functions of the Office of Public Integrity. The current annual cost for this lease is \$37,755.35. The annual cost for the new lease – as established by an appraisal prepared in February 2020, by Rachel Gaillard of Bruckner, Tillet, Rossi, Cahill and Associates – will be \$38,894.24 for the first year, with 3% annual rental increases. The cost of electricity will be the responsibility of the City. All other utility costs are included in the rental amount. The annual cost of this lease will be funded through the 2020-21 Budget of the Office of the Mayor and subsequent budgets, contingent upon their approval. The term of the new lease will be for three years, with two, one-year renewal options and will commence on August 1, 2020.

The Office of Public Integrity has been located at this site since 2006. The location of the Office of Public Integrity is close to City Hall, while still providing anonymity to City employees and/or

private citizens who wish to bring any concerns to the Office of Public Integrity. The last lease agreement for this property was approved via Ordinance No. 2017-88.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-125

Ordinance No. 2020-213  
(Int. No. 249)

### **Authorizing a lease agreement for the Office of Public Integrity**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Buckingham Properties LLC a/k/a 85 Allen, LLC for the lease of 2,296 square feet of space in the Buckingham Commons Building at 85 Allen Street to be used by the Office of Public Integrity. The agreement shall have a term of three years with the option to renew for two additional one-year periods.

Section 2. The lease agreement shall obligate the City to pay an amount not to exceed \$38,894.24 in rent for the first year, with 3% annual increases for subsequent years. Said amounts shall be funded from the 2020-21 and subsequent years' Budgets of the Mayor's Office, contingent upon approval of future budgets. The City shall be responsible for electric costs. Heating and cooling costs shall be included in the rent amount.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-214

Re: Lease Agreement- Charles Settlement  
House, Inc., 71 Parkway, Northwest  
Neighborhood Service Center

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation approving a lease agreement between the City of Rochester and Charles Settlement House, Inc. (Scott Benjamin, President, 71 Parkway,

Rochester, NY) for the continued use of 5,289 square feet of space at 71 Parkway to accommodate the functions of the Northwest Neighborhood Service Center (NW-NSC). The current annual cost for this lease is \$34,713. The annual cost for the new lease – as established by an appraisal prepared in May 2020, by Rachel Gaillard of Bruckner, Tillet, Rossi, Cahill and Associates – will be \$37,023 for the first year, with 3% annual rental increases. All utility costs are included in the rental amount. The annual cost of this lease will be funded through the 2020-21 Budget of the Department of Neighborhood and Business Development and subsequent budgets, contingent upon their approval. The term of the new lease will be for three years, with three, one-year renewal options and will commence on August 1, 2020.

The NW-NSC has been located at this site since 2013. The NW-NSC is strategically located within the quadrant and is adjacent to the offices of a neighborhood-based service organization, which provides opportunities to enhance customer service and community engagement. The last lease agreement for this property was approved via Ordinance No. 2013-174.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No AT-126

Ordinance No. 2020-214  
(Int. No. 250)

### **Authorizing a lease agreement for the Northwest Neighborhood Service Center**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Charles Settlement House, Inc. for the lease of 5,289 square feet of building space at 71 Parkway for the Northwest Neighborhood Service Center. The agreement shall have a term of three years with the option to renew for three additional one-year periods.

Section 2. The lease agreement shall obligate the City to pay an amount not to exceed \$37,023 in rent for the first year, with 3% annual increases for subsequent years. Said amounts shall be funded from the 2020-21 and subsequent years' Budgets of the Department of Neighborhood and Business Development, contingent upon approval of future budgets. All utility costs shall be included in the rent amount.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2020-215  
Re: Technical Amendment –



Ordinance No. 2020-99,  
 Acquisition of Properties for the  
 Flower City School No. 54 Campus  
 Modernization Project  
 Council Priority: Support the Creation  
 of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:  
 Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance No. 2020-99 to revise the value of the acquisition associated with the Flower City School No. 54 Campus Modernization Project. The changes are detailed below:

<b>Property Address</b>	<b>Owner</b>	<b>Original Maximum Acquisition Amount</b>	<b>Revised Maximum Acquisition Amount</b>
56 Aab Street	Brenda A. Smith	\$43,000	\$65,000

The just compensation for each property has been augmented by an administrative adjustment permitted under the Eminent Domain Procedure Law in consideration of the legal costs of attempting to acquire the properties through condemnation.

The owner of the property had contested the indicated just compensation amount, but has agreed to convey the property with the indicated administrative adjustment.

The increased just compensation amount will result in a timely conveyance without additional litigation costs. The additional cost will be funded from Rochester Schools Modernization Program funds, which were appropriated on behalf of the City and the Rochester City School District by the Rochester Joint Schools Construction Board on December 9, 2019 in Resolution 2019-20: 68.

All City taxes and other current-year charges against each said parcels shall be canceled as of the date title is transferred to the City. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing while the City owns a parcel, shall also be canceled.

Respectfully submitted,  
 Lovely A. Warren  
 Mayor

Attachment No. AT-127

Ordinance No. 2020-215  
 (Int. No. 251)

**Amending Ordinance No. 2020-99 as it relates to land acquisitions for the Flower City School No. 54 campus modernization project**

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

Section 1. Section 1 of Ordinance No. 2020-99 is hereby amended by increasing the maximum acquisition amount for 56 Aab Street (SBL# 105.50-1-27) owned by Brenda A. Smith from \$43,000 to \$65,000.

Section 2. The additional acquisition amount of \$22,000 authorized herein shall be funded from Rochester Schools Modernization Program funds, which were appropriated on behalf of the City and the Rochester City School District by the Rochester Joint Schools Construction Board in accordance with its Resolution 2019-20: 68.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes – President Scott, Councilmember Evans, Gruber, Lightfoot, Lupien, Ortiz, Patterson, Peo – 8.

Nays – None-0.

Councilmember Harris abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-216  
Re: Agreement- Home Leasing, LLC,  
North Clinton, East Main, Culver  
Road Rental Housing Project

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the North Clinton, East Main and Culver affordable housing project being undertaken by Home Leasing, LLC (Bret Garwood, Chief Executive Officer, 180 Clinton Square, Rochester NY), located at 1614-1624 North Clinton Avenue, 699 East Main Street and 899 Culver Road.

This legislation will:

1. Appropriate \$300,000 of HOME Program funds from the Consolidated Plan/2020-21 Annual Action Plan, Affordable Housing Fund allocation to support the project.
2. Authorize a loan agreement for a \$300,000 permanent loan with Home Leasing, LLC or an affiliated partnership or housing fund development corporation to be formed by Home Leasing, LLC. The permanent loan will be structured as a 30-year, non-amortizing, 1% interest-only, cash-flow dependent loan with principal and deferred interest due at the end of the 30-year term. The project was reviewed and approved by the Loan Review Committee on June 17, 2020. The loan will be funded from the HOME program funds appropriated herein.

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

The renovation of these three locations total 150 units; 83 studios, 54 one-bedrooms, and 13 two-bedroom apartments. The buildings are currently unregulated. This project will ensure their continued affordability for households with incomes ranging from 30% of AMI to 60% of AMI. In addition, rents range from \$477-\$693. Fifty six (56) of the 150 units will be set aside for supportive housing. Of those, ten units will house previously incarcerated individuals with Spiritus Christi Prison Outreach and 11 units will house individuals with HIV/AIDS in partnership with Trillium Health. Each of the partners has received an Empire State Supportive Housing Initiative (ESSHI) award to provide rental subsidy and support services to the 56 households.

The project scope includes asbestos abatement, new roofs, mechanical systems, electrical and plumbing system upgrades, new windows as needed, new appliances, updated lighting, a security system including cameras and secure entry system, improvements to baths, kitchens and flooring. There will be no non-voluntary displacement. It is anticipated that the residents will remain in the buildings during construction and move into a newly renovated unit when completed. Home Leasing’s Relocation Coordinator will develop in partnership with the resident an individualized, temporary relocation plan to meet their needs during construction.

The project will receive funding from NYS Homes and Community Renewal, ESL Foundation and the City of Rochester for construction and permanent financing. Home Leasing has been working with tenant advocates and tenants alike to work together to address some of the existing issues at the sites. Home Leasing began managing the property on February 24<sup>th</sup>, and took ownership on June 8<sup>th</sup>, 2020.

The sources and uses for the proposed project are summarized below:

<b>USES</b>		<b>PERMANENT SOURCES</b>	
Acquisition	\$6,225,000	Conventional Loan	\$4,000,000
Soft Costs	1,864,252	NYS HCR SBPLP	10,650,000
Hard Costs	8,582,747	NYS HCR HOME	3,500,000
Contingency	858,275	ESL Foundation Loan	250,000
Developer Fee	500,000	City of Rochester Loan	300,000
Reserves	442,050	Deferred Developer Fee	131,324
Working Capital	359,000	<b>TOTAL</b>	<b>\$18,831,324</b>
<b>TOTAL</b>	<b>\$18,831,324</b>		

Workforce goals for the project are 6.9% women and 20% minorities and 25% City residents, along with a combined goal of 30% for MBE/WBE firms.

The PILOT was approved at the PILOT Review Committee meeting on March 19, 2020, and was approved by Council on April 14, 2020 via ordinance 2020-95. A State Environmental Quality Review Act (SEQRA) Review was completed, and the project was determined to be a Type 2 activity. A National Environmental Policy Act (NEPA) review has been initiated and will be completed prior to closing.

This is the first project in Monroe County to utilize NYS Homes and Community Renewal's recently launched Small Building Participation Loan Program. This program is designed to support renovation projects 5 to 40 units. The 30 year fixed rate loan provides up to \$50,000 per unit, and comes with income limit restrictions for the life of the loan that are compatible with the similar income restrictions imposed by the City and federal HOME funding.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-128

Ordinance No. 2020-216  
(Int. No. 252)

**Authorizing a loan agreement for the North Clinton, East Main, Culver Road Rental Housing Project**

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

Section 1. The Mayor is hereby authorized to enter into a loan agreement with Home Leasing, LLC or an affiliated partnership or housing development fund corporation formed for the Project (the Developer), for permanent financing of the North Clinton, East Main, Culver Road Rental Housing Project entailing the renovation of approximately 150 residential rental units on three parcels located at 1614-1624 North Clinton Avenue, 699 East Main Street and 899 Culver Road to provide affordable housing, including approximately 56 units of housing for formerly incarcerated individuals, individuals with HIV/AIDS, and others in need of supportive housing (collectively, the Project). The loan shall be in the amount of \$300,000, which shall be funded by HOME Program funds from the Affordable Housing Fund allocation of the Consolidated Plan/2020-21 Annual Action Plan, which amount is hereby appropriated to principal. The loan shall be issued upon completion of Project construction and continue for a term of 30 years. The loan shall be subject to an annual interest rate of 1% due annually if the Developer has sufficient cash flow, with repayment of the loan principal and any unpaid interest due at the end of the loan term.

Section 2. The Mayor is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to legal and other requirements for the Project.

Section 3. The agreement authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2020-217  
Re: Agreement – Charlotte Harbortown  
Homes, Payment In Lieu of Taxes

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the transfer of the existing tax exemption and payment in lieu of taxes (PILOT) agreement for Charlotte Harbortown Homes, an affordable housing project located at 4575 Lake Avenue, 60 River Street, and 86 River Street, Rochester, NY (the “Project”) to Charlotte Investors Housing Development Fund Company, as nominee for Charlotte Investors, LLC (the “Purchaser”). The Purchaser is an affiliate of Stonebridge GP IV LLC (Eli Mizrahie, Managing Member, 8484 Wilshire Blvd., Suite 760, Beverly Hills, CA).

The Project comprises 553 affordable rental units in two senior high rise buildings and 16 family townhouse buildings at two sites in the Harbortown section of the Charlotte neighborhood in northwest Rochester. It includes 157 studios and 297 one-bedroom units for seniors households, and 35 one-bedroom units, 36 two-bedroom units, 22 three-bedroom units, and 6 four-bedroom units for family households. The Project is subject to income and rent restrictions due to its allocation of Low Income Housing Tax Credits, and all units are covered by project-based Section 8 vouchers and/or are affordable to households earning at or below 60% of Area Median Income (“AMI”).

The Purchaser expects to acquire the Project in July or August 2020. The current property management company, Housing Management Resources, Inc. (Richard Pierce, CEO), will continue to manage the property, and there will be no changes to affordability or operations upon the Purchaser’s acquisition. The Purchaser is receiving permanent acquisition financing from Walker & Dunlop, LLC.

The requested PILOT transfer is necessary to preserve 553 units of affordable housing until at least 2047. The existing PILOT agreement provides an exemption for an annual in-lieu payment equal to 10% of the Project’s shelter rents (gross rents minus utility costs). The term of the PILOT through September 2047 was identified through a legal review by City of Rochester’s Corporation Counsel in 2005. The Project owner at that time, Charlotte Lake River Houses, Inc., obtained financing to undertake significant rehabilitation of the Project. City Council Ordinance No. 2015-357 authorized the transfer of the PILOT agreement to Charlotte-Lake River Homes Housing Development Fund Company, Inc. on November 17, 2015. The transfer was necessary for the owner to change to an Article XI Housing Development Fund Company in order to obtain project-based Section 8 for 400 units.

The PILOT Review Committee approved the PILOT on June 4, 2020. A State Environmental Quality Review Act (SEQRA) Review was completed, and the Project was determined to be a Type 2 activity.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-129

Ordinance No. 2020-217  
(Int. No. 253)

**Authorizing the transfer of a payment in lieu of taxes agreement for Charlotte Harbortown Homes**

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

Section 1. The Mayor is hereby authorized to enter into a payment in lieu of taxes agreement (PILOT agreement) for Charlotte Harbortown Homes, 4575 Lake Avenue (SBL # 47.540-1-41), 60 River Street (SBL # 61.220-1-7) and 86 River Street (SBL # 61.210-1-23) (the Project) with Charlotte Investors Housing Development Fund Company, as nominee for Charlotte Investors, LLC (Charlotte Investors HDFC). Under the PILOT agreement, Charlotte Investors HDFC shall succeed to the property tax exemption and Project obligations now held by Charlotte-Lake River Homes Housing Development Fund Company, Inc. under the Project's current PILOT arrangement which was authorized by Ordinance No. 2015-357.

Section 2. The PILOT agreement shall provide that the Project remain entitled to a real property tax exemption pursuant to the New York State Private Housing Finance Law, provided that Charlotte Investors HFDC makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 3. The term of the PILOT agreement shall run through September 30, 2047, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated for the purposes of affordable housing in substantial compliance with Article 11 of the New York State Private Housing Finance Law.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following:

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

Nays – Councilmember Lupien-1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-218

Re: Agreement – Rochester Careers in Construction, Inc., Project Phoenix

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

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with Rochester Careers in Construction, Inc. (RCCI), (Joseph Leone, President, 180 Linden Oaks, Rochester, NY) for the Project Phoenix program. The

agreement will be funded from 2019-20 Cash Capital. The term of the agreement will be for one (1) year with the option to extend for one additional year if funds remain in the agreement.

RCCI was started in 1998 by the Builders Exchange to meet the future workforce needs of industry contractors. Project Phoenix offers an opportunity for on-the-job training in the construction industry for individuals age 18 to 40. It engages City of Rochester residents to consider pursuing a career in the construction and building trades. The goal is to help facilitate viable employment opportunities and positively address the City of Rochester's critical housing needs. The funds will be used to purchase materials, supplies and tools to operate the program.

A Justification Statement for not issuing a Request for Proposals is attached.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-130

Ordinance No. 2020-218  
(Int. No. 254)

### **Authorizing an agreement for the Project Phoenix program**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Rochester Careers in Construction, Inc. for the Project Phoenix program. The maximum compensation for the agreement shall be \$50,000, which shall be funded from 2019-20 Cash Capital. The term of the agreement shall be one year with the option to extend for one additional year if funds remain in the agreement.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance 2020-219  
Re: Amendatory Inter-Municipal Agreement-  
Monroe County, Lead Paint Poisoning  
Prevention Inspection Services

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an amendatory inter-municipal agreement with Monroe County for lead paint poisoning prevention inspection services. The

original agreement was authorized in February 2019 under Ord. 2019-25 and established \$310,000 as maximum compensation for a term of one year. The Monroe County Legislature approved an amendment to the agreement via resolution 2020-177 on May 26<sup>th</sup>, 2020. The amendment will extend the term of the agreement by six months through September 30<sup>th</sup>, 2020, and increase the contract value by \$155,000 to a maximum compensation of \$465,000. All other terms will remain the same.

The funds associated with this agreement provide a reimbursement of expenses related to the enforcement of the City's Lead-Based Paint Poisoning Prevention Ordinance. These funds are part of the State's Lead Primary Prevention Grant dollars provided to Monroe County. The \$465,000 covers visual inspections for lead hazards, Lead Dust Wipe Sampling tests and Clerical and IT support provided by the City of Rochester. This agreement has been in place since October 1, 2007. A chart showing the history of the past eight years of the grant is attached.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-131

Ordinance No. 2020-219  
(Int. No. 255)

**Authorizing an amendatory intermunicipal agreement with the County of Monroe to fund enforcement of the Lead-Based Paint Poisoning Prevention ordinance**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory intermunicipal agreement with the County of Monroe for the receipt and use of New York State funding to enforce the City's Lead-Based Paint Poisoning Prevention ordinance. The amendments shall increase the amount of funding in the existing agreement authorized by Ordinance No. 2019-25 by \$155,000 to a total amount of \$465,000 and shall extend the existing agreement's term by 6 months to September 30, 2020.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Gruber  
July 21, 2020

To the Council:

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



- Int. No. 256 Authorizing an agreement for a Food Waste Prevention, Donation, and Organics Recycling Education and Outreach Program
- Int. No. 257 Authorizing funding and an agreement for the Blue Cross Arena Riverside Addition
- Int. No. 258 Authorizing an agreement for the 965 Maple Street renovation and Forestry Division relocation
- Int. No. 259 Authorizing term agreements for move management services
- Int. No. 260 Authorizing an agreement for Parking Garage Evaluation & Repair Program services
- Int. No. 261 Authorizing term agreements for civil engineering and transportation planning and design services
- Int. No. 262 Authorizing an engineering design services agreement for railroad crossings within the Preventive Maintenance Northwest Group 12 project, **as amended**
- Int. No. 264 Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of the East Main Street Reconstruction (North Goodman Street to Culver Road) transportation federal-aid project, and appropriating funds therefor
- Int. No. 267 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$755,000 Bonds of said City to finance the City's West River Wall Segment 1 Project
- Int. No. 268 Authorizing term agreements for structural engineering services

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

- Int. No. 263 Authorizing an amendatory agreement and geometric changes for the East Main Street Improvement Project
- Int. No. 265 Authorizing geometric changes to pavement widths adjacent to 275 East Avenue (Inner Loop Transformation Site 3)
- Int. No. 266 Approving geometric changes on Exchange Boulevard and the receipt of funding for electrical and lighting improvements related to the West River Wall Segment 1 Project

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

Received filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-220  
Re: Professional Services Agreement –  
Food Waste Prevention, Donation  
and Organics Recycling Education  
and Outreach Program

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing a professional services agreement in the amount of \$50,000 with The Cause Collaborative, Inc. (Rebecca Delaney Johnson, CEO, 55 Railroad Street, Suite 113, Rochester, NY) for services related to the development of a Food Waste Prevention, Donation and Organics Recycling Education and Outreach Program for the City of Rochester.

The cost of the agreement will be financed from \$40,000 in New York State Department of Environmental Conservation (NYSDEC) Municipal Food Scraps Reduction, Food Donation, and Food Scraps Recycling Program grant funds appropriated in August 2019 via Ordinance No.2019-266, and \$10,000 fiscal year 2015-16 cash capital from the Department of Environmental Services.

Developing this education and outreach program will assist the City in raising public awareness about the issue of food waste, ways to prevent food waste, options for food donations and the process for recycling organics (composting) whenever possible. The program will reduce the amount of food waste going to the landfill and result in lower greenhouse gas emissions in accordance with the City of Rochester Community-wide Climate Action Plan.

In April 2020, the City's Office of Energy and Sustainability solicited proposals to develop a Food Waste Prevention, Donation and Organics Recycling Education and Outreach Program and two firms responded. The Cause Collaborative was selected based on the quality and thoroughness of their proposal, experience and expertise of the proposed project team, ability to meet the City's schedule, and the reasonableness of the cost of their proposal.

The agreement will have an initial term of two (2) years with provisions for a renewal for an additional one-year period based on mutual written agreement.

The Food Waste Prevention, Donation and Organics Recycling Education and Outreach Program is expected to be completed by June 2021.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-132

Ordinance No. 2020-220  
(Int. No. 256)

**Authorizing an agreement for a Food Waste Prevention, Donation, and Organics Recycling Education and Outreach Program**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with The Cause Collaborative, Inc. to develop a Food Waste Prevention, Donation, and Organics Recycling Education and Outreach Program. The maximum compensation for the agreement shall be \$50,000, which shall be funded from \$40,000 in New York State Department of Environmental Conservation Municipal Food Scraps Reduction, Food Donation, and Food Scraps Recycling Program grant funds appropriated in Ordinance No. 2019-266 and \$10,000 in 2015-16 Cash Capital. The term of the agreement shall be two years with the option to renew for an additional one-year period upon mutual agreement.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-221  
Re: Agreement – Bergmann Associates,  
Architects, Engineers, Landscape  
Architects & Surveyors, D.P.C. Blue  
Cross Arena Riverside Addition

Council Priority: Creating and Sustaining a  
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green & Active Systems

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

1. Appropriate \$300,000 in anticipated reimbursements from ROC the Riverway/Upstate Revitalization Initiative funding administered by Empire State Development to finance engineering and design of the project; and,
2. Establish \$300,000 as maximum compensation for an agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro V. Giovenco, C.E.O., 280 East Broad Street, Suite 200, Rochester, NY) for a feasibility analysis, cost estimate, SEQR review and preliminary design work for the proposed Blue Cross Arena Riverside Addition. The cost of the agreement will be financed from anticipated reimbursements appropriated herein.

The concept for the Blue Cross Arena Riverside Addition is an expansion and façade modernization along the Genesee River front. The expansion is envisioned to create space for a terrace level river

front restaurant and an expanded concession area from which to view internal events and spectacular Genesee River view sheds simultaneously.

Capital improvements currently funded and underway in the Arena include upgraded restrooms, modernized audio/video infrastructure, and an expansion along Exchange Blvd to upgrade offices, locker rooms, and concession areas.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro V. Giovenco, CEO, 280 East Broad Street, Rochester, NY) was selected for services based on their recent experience with the Blue Cross Arena Upgrades project. A full justification for not issuing a request for proposal is attached. The term of the agreement shall be for a period of one (1) year.

Design will begin in fall 2020. The agreement will result in the creation and/or retention of the equivalent of 3.2 full-time jobs.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-133

Ordinance No. 2020-221  
(Int. No. 257)

### **Authorizing funding and an agreement for the Blue Cross Arena Riverside Addition**

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

Section 1. The Council hereby appropriates \$300,000 in anticipated reimbursements from ROC the Riverway/Upstate Revitalization Initiative administered by Empire State Development to fund engineering and design services for the Blue Cross Arena Riverside Addition (the Project). The Mayor is hereby authorized to execute an agreement and such other documents as may be necessary to receive and administer the funding.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide a feasibility analysis, cost estimate, State Environmental Quality Review Act review and preliminary design work for the Project. The maximum compensation for the agreement shall be \$300,000, which shall be funded from the appropriation authorized in Section 1 herein. The term of the agreement shall be 1 year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-222  
Re: Agreement – 965 Maple Street  
Renovation & DES Forestry  
Division Relocation

Council Priority: Creating and Sustaining  
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation establishing \$90,000 as maximum compensation for an agreement with Erdman, Anthony and Associates, Inc. (Curt Helman, CEO, 145 Culver Rd., Suite 200, Rochester, NY) for architecture and engineering services for the project. The cost of the project will be financed from 2019-20 Cash Capital.

Erdman Anthony and Associates, Inc. will provide architecture and engineering design and construction oversight services for building modifications at 965 Maple Street to relocate the DES Forestry Division from their current location at 210 Colfax Street to this facility. The Forestry Division will be co-located with DES Park Operations divisions already housed at this location. The move will create greater operational and storage efficiencies.

The term of the agreement shall extend until three (3) months after the completion of the two-year guarantee inspection of the project.

Erdman Anthony and Associates, Inc. was selected for services through a request for proposal process which is described in the attached summary.

Design will begin in fall 2020 with construction anticipated in summer 2021. The project will result in the creation and/or retention of the equivalent of 0.98 full-time jobs.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-134

Ordinance No. 2020-222  
(Int. No. 258)

**Authorizing an agreement for the 965 Maple Street renovation and Forestry Division relocation**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Erdman, Anthony and Associates, Inc. to provide architecture and engineering design and construction oversight services for building modifications at 965 Maple Street to relocate the Department of Environmental Services' Forestry Division to this facility from its current location at

210 Colfax Street (the Project). The maximum compensation for the agreement shall be \$90,000, which shall be funded from 2019-20 Cash Capital. The term of the agreement shall continue to 3 months after completion of a two-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-223

Re: Move Management Services

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive 2034 Initiative Area:  
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing three (3) agreements with the following companies for services related to Move Management:

1. Vargas Associates Inc. (Christine M. Vargas, C.E.O., 40 Humboldt Street, Suite 101, Rochester, NY)
2. Heather DeMoras Design Consultants, Inc. (Heather DeMoras, President, 3427 Sutherland Road, Penn Yan, NY)
3. Intivity Inc. (Fabricio Morales, C.E.O., 106 Despatch Drive, East Rochester, NY)

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary from capital funds appropriated for specific projects. The cost for services will be provided utilizing pre-specified billing rates within the agreements. The agreements will have a term of three (3) years with the option to renew for two (2) additional years.

Similar agreements for move management services have been in place since 2013. Services include, but are not limited to, development and implementation of moving and relocation plans, office equipment and furniture planning and implementation, interior design services, inventory of existing assets, and contractor and vendor coordination.

The companies listed above were selected through a request for qualifications (RFQ) process, which is described in the attached summary. Engagement of a company will be based on project specific proposals, type of services required, and the ability to perform the services within the time specified by the City.

Respectfully submitted,  
Lovely A. Warren

Mayor  
Attachment No. AT-135

Ordinance No. 2020-223  
(Int. No. 259)

**Authorizing term agreements for move management services**

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following companies for move management services, including development and implementation of moving and relocation plans, office equipment and furniture planning and implementation, and related services, as required by the City:

Vargas Associates Inc.

Heather DeMoras Design Consultants, Inc.

Intivity Inc.

Section 2. The agreements shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual budgets of the Department of Environmental Services, and if necessary, from capital funds appropriated for specific projects. The compensation for the services provided under the agreements shall be based on pre-specified billing rates established by the City. Those rates may be adjusted at the discretion of the City upon satisfactory justification by the consultant. The term of the agreements shall be three years with the option to renew for two additional years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2020-224  
Re: Agreement – T.Y. Lin International  
Engineering & Architecture, P.C.,  
Parking Garage Evaluation & Repair  
Program

Council Priority: Creating and Sustaining a  
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing a professional services agreement with T.Y. Lin International Engineering & Architecture, P.C. (Robert J. Radley, CEO,

245 East Avenue, Rochester NY 14604) for engineering and architectural inspection and design services for the Parking Garage Evaluation & Repair Program. The agreement shall have a maximum compensation of \$400,000 per year. The agreement shall have a term of one (1) year with four (4) optional one year renewals. The cost of the agreement shall be funded from the 2019-20 Parking Cash Capital allocation, and any renewals shall be funded from the Parking Cash Capital allocation or a Bond Ordinance adopted and appropriated for said purpose in subsequent budgets, contingent upon the adoption of said budgets.

The Parking Garage Evaluation and Repair Program, created in 2009, is an annual parking garage inspection and repair program for preserving the safety, structural integrity and service life of eight City owned parking garages as follows: Court Street Garage, East End Garage, Genesee Crossroads Garage, High Falls Garage, Mortimer Street Garage, Sister Cities Garage, South Avenue Garage, and the Washington Square Garage.

T.Y. Lin International will perform parking garage inspection and evaluation and prepare condition assessment reports for each parking garage in accordance with NYS requirements, develop prioritized short and long term capital planning and repair strategies, and design and prepare annual construction documents for the City's garage repair contracts.

T.Y. Lin International was selected through a Request for Proposal process which is described in the attached summary.

Inspection and design services will begin in summer 2020, with construction of the 2021 annual repair contract anticipated to begin early 2021. The agreement will result in the creation and/or retention of the equivalent of 4.3 full-time jobs.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-136

Ordinance No. 2020-224  
(Int. No. 260)

### **Authorizing an agreement for Parking Garage Evaluation & Repair Program services**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with T.Y. Lin International Engineering & Architecture, P.C. to provide engineering and architectural inspection and design services for the Parking Garage Evaluation & Repair Program for City-owned parking garages. The term of the agreement shall be 1 year, with options to extend the term for up to four periods of 1 year each. The maximum annual compensation for the agreement shall be \$400,000, which shall be funded from 2019-20 Cash Capital. The compensation for subsequent optional extended term years, if any, shall be funded from the parking Cash Capital allocations of subsequent Budgets or a bond ordinance adopted and appropriated for said purpose, contingent upon their adoption.

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



Section 3. This ordinance shall take effect immediately.  
Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-225  
Re: Civil Engineering Professional Term  
Services Agreements

Council Priority: Creating and Sustaining a  
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to civil engineering and transportation planning and design. This legislation will authorize five (5) separate Professional Term Service Agreements with the following companies:

1. Joseph C. Lu Engineering, P.C. (Cletus O. Ezenwa, C.E.O., 339 East Avenue, Suite 200, Rochester, NY)
2. Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.(Pietro V. Giovenco, C.E.O., 280 East Broad Street, Suite 200, Rochester, NY)
3. Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (Jo Anne C. Gagliano, President, 274 North Goodman Street, Rochester, NY)
4. Fisher Associates, P.E., L.S., L.A., D.P.C. (Roseann B. Schmid, C.E.O., 180 Charlotte Street, Rochester, NY)
5. Greenman-Pedersen, Inc. (Christer Ericsson, C.E.O., 400 Andrews Street, Suite 610, Rochester, NY)

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary from capital funds appropriated for specific projects. The cost for services will be provided utilizing pre-specified billing rates within the agreements. The agreements will have a term of three (3) years with the option to renew for two (2) additional years.

The companies listed above were selected through a request for qualifications (RFQ) process described in the attached summary. Engagement of each company will be based on project specific proposals, type of services required, and the ability to perform the services within the time specified by the City.

Respectfully submitted,  
Lovely A. Warren  
Mayor

**Authorizing term agreements for civil engineering and transportation planning and design services**

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following companies for civil engineering and transportation planning and design services as required by the City:

Joseph C. Lu Engineering, P.C.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.

Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C

Fisher Associates, P.E., L.S., L.A., D.P.C.

Greenman-Pedersen, Inc.

Section 2. The agreements shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual budgets of the Department of Environmental Services, and if necessary, from capital funds appropriated for specific projects. The compensation for the services provided under the agreements shall be based on pre-specified billing rates established by the City. Those rates may be adjusted at the discretion of the City upon satisfactory justification by the consultant. The term of the agreements shall be three years with the option to renew for two additional years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2020-226  
Agreement – CSX Transportation,  
Inc., Design Services, Preventive  
Maintenance Northwest Group 12 –  
Driving Park Avenue (CSX Railroad to Finch St.),  
Emerson Street (Mt. Read Blvd. to Sherman St.),  
and Jay Street (Mt. Read Blvd. to CSX Railroad)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:

Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation which will establish \$25,000 as total maximum compensation for an agreement with CSX Transportation, Inc., (Jacksonville, Florida) for engineering design services. The cost of the agreement will be funded from 2016-17 Cash Capital.

The agreement with CSX is required to provide for engineering design services for at-grade railroad crossings on Emerson Street and Jay Street. The term of the agreement will extend until five (5) years after project completion.

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

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-138

Ordinance No. 2020-226  
(Int. No. 262), as amended

**Authorizing an engineering design services agreement for railroad crossings within the Preventive Maintenance Northwest Group 12 project**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with CSX Transportation, Inc. to provide engineering design services for at-grade railroad crossings on Emerson Street and Jay Street as part of the Preventive Maintenance Northwest Group 12 project. The maximum total compensation for the agreement shall be ~~\$25,000~~ \$35,000 and said amount, or so much thereof as may be necessary, shall be funded from 2016-17 Cash Capital. The term of the agreement shall extend until 5 years after project completion.

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

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2020-227  
Resolution No. 2020-26  
Re: East Main Street Improvement  
Project

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

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green & Active Systems

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

1. Amend Section 1 of Ordinance No. 2018-103, as amended by Ordinance No. 2020-40, which established the maximum compensation for a professional services agreement with Erdman, Anthony and Associates, Inc. (Curt Helman, C.E.O., 145 Culver Road, Suite 200, Rochester, New York) for design services related to this project, by increasing the maximum compensation by \$95,212 to a total of \$1,095,212 to commit additional local funding to align with the requirements set forth by New York State Department of Transportation (NYSDOT) who is administering the grant agreement for the Federal Highway Administration (FHWA) per Ordinance 2020-40. The additional fund will be funded by 2018-19 cash capital.
2. Approve a resolution, in a form that is required by the New York State Department of Transportation (NYSDOT), that will confirm the City's prior authorizations of the Project, commit the City to pay for the State-funded portion of the Project in the first instance before seeking reimbursement from the State, and, if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.
3. Authorize changes in pavement width required as follows:
  - a) A tapered variable decrease in pavement width from approximately 73 feet wide to 33 feet wide, beginning at North Goodman Street and continuing eastward approximately 400 feet, and;
  - b) A decrease in pavement width of 17 feet, from 50 feet to 33 feet, beginning approximately 400 feet east of North Goodman Street for a distance of approximately 4,200 feet to Culver Road.

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

The Project includes street reconstruction of East Main Street from North Goodman Street to Culver Road. Improvements include new sidewalks and curb ramps, bicycle accommodations, driveway aprons, receiving basins, water main, water services, hydrants, lighting, signals, signage, pavement markings, tree plantings, and other various streetscape improvements. The project is being designed by Erdman, Anthony and Associates, Inc. (Ordinance No. 2018-103 and Ordinance No. 2020-40).

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

Public meetings were held on February 28, 2019 and January 23, 2020. Copies of the meeting minutes are attached. An additional public information meeting will be held prior to the public bid for construction. The pavement width changes were endorsed by the Traffic Control Board at the May 20, 2020 meeting.

A public hearing on the pavement width changes is required.

It is anticipated the design and property acquisitions will be completed in summer 2020 and construction will begin in early 2021 with substantial completion by fall 2022.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-139

Ordinance No. 2020-227  
(Int. No. 263)

**Authorizing an amendatory agreement and geometric changes for the East Main Street Improvement Project**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Erdman, Anthony and Associates, Inc. to provide additional design services for the East Main Street Improvement Project (Project). The amendatory agreement shall amend the professional services agreement authorized in Ordinance No. 2018-103, and as amended by Ordinance No. 2020-40, to increase the maximum compensation by \$95,212 to a new total of \$1,095,212. The increase in compensation shall be funded from 2018-19 Cash Capital.

Section 2. The Council hereby approves the following changes in the pavement width of East Main Street for the Project:

- a) A tapered variable decrease in pavement width from approximately 73 feet wide to 33 feet wide, beginning at North Goodman Street and continuing eastward approximately 400 feet; and
- b) A decrease in pavement width of 17 feet, from 50 feet to 33 feet, beginning approximately 400 feet east of North Goodman Street and continuing eastward for a distance of approximately 4,200 feet to Culver Road.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2020-26  
(Int. No. 264)

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

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

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

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

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

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

THAT the sum of \$1,103,212 appropriated pursuant to Ordinance No. 2018-103 as amended by Ordinance No. 2020-40 (\$1,008,000) and Ordinance No. 2020-227 (\$95,212) is available to cover the cost of participation in the above described phases of the Project;

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

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

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

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2020-228  
Geometric Changes – 275 East Avenue  
(Inner Loop Site 3)

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

Transmitted herewith for your approval is legislation authorizing geometric changes related to the property at 275 East Avenue, Site 3 of the Inner Loop Transformation project. The property is being developed by Trillium Health and Home Leasing as a mixed-use development.

Geometric changes on South Union Street include the following:

- 1) Widening South Union Street by 8 feet from a current width of 48 feet to a proposed width of 56 feet from 133 feet north of East Broad Street to 200 feet north of East Broad Street and;
- 2) Change in pavement width on East Broad Street by 8 feet from a current width of 39 feet to a proposed width of 47 feet from 22 feet west of South Union Street to 63 feet west of South Union Street.

These changes will create additional recessed parking, and facilitate a greater level of pedestrian safety to align with the construction of the new mixed-use development.

A public informational meeting was held on January 25, 2019. No one attended this meeting. The geometric changes required for the project were endorsed by the Traffic Control Board on February 5, 2019.

Construction is anticipated to begin in fall of 2020, and completion is anticipated by spring of 2021.

A public hearing on the pavement width changes is required.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-140

Ordinance No. 2020-228  
(Int. No. 265)

**Authorizing geometric changes to pavement widths adjacent to 275 East Avenue (Inner Loop Transformation Site 3)**

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

Section 1. The Council hereby approves the following changes in the pavement widths of South Union Street and East Broad Street:

- a) Widening South Union Street by 8 feet from a current width of 48 feet to 56 feet, beginning 133 feet north of East Broad Street and continuing northward to 200 feet north of East Broad Street; and

- b) Widening East Broad Street by 8 feet from a current width of 39 feet to 47 feet, beginning 22 feet west of South Union Street and continuing westward to 63 feet west of South Union Street.

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

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-229

Ordinance No. 2020-230

Re: West River Wall Project

Council Priority: Jobs and Economic  
Development

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

Transmitted herewith for your approval is legislation related to the West River Wall Project (Ford Street to Corn Hill Landing). This legislation will:

1. Authorize geometric changes for the Project on Exchange Boulevard at the intersection with Fitzhugh Place for a length of approximately 85 feet centered on the Fitzhugh Place intersection, the east and west curb lines of Exchange Boulevard will each be brought in by 7 feet to narrow the roadway by a total of 14 feet. Total roadway width will be reduced from 64 feet to 50 feet.
2. Authorize the receipt and use of \$200,000 in funding from the Rochester Gas & Electric (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program, for electrical infrastructure and lighting improvements; and,
3. Authorize the issuance of bonds totaling \$755,000 and the appropriation of the proceeds thereof to partially finance a portion of the construction for the project.

This project has been identified as part of the ROC The Riverway initiative, a plan to revitalize the severely underutilized Genesee Riverfront in the core of the City of Rochester. The project leverages years of planning and public investment in the Corn Hill and Plymouth Exchange neighborhoods, in large part spurred by the Corn Hill Vision Plan, West River Wall Waterfront Master Plan, and Vacuum Oil Brownfield Opportunity Area Master Plan, all large-scale planning projects completed in collaboration with the neighborhoods, the New York State Department of State, New York State Canal Corporation (NYSCC), and private sector developers and investors.

The project area is defined as the Corn Hill waterfront and is located along the west bank of the Genesee River occupying an approximately 4 acre site that extends approximately 2,200 feet in the north-south direction from Ford Street to the Corn Hill Landing Development and approximately



80 feet in the east-west direction from the Genesee River to Exchange Boulevard. The property has two principal owners: the NYSCC, which owns and maintains the wall and the City, which owns and maintains the adjacent riverfront property. This property serves as a primary corridor into Center City and is part of the Genesee Riverway Trail system.

The project area is characterized by a crumbling concrete flood control wall, overgrown vegetation, and lack of public access. Restoration of the wall will provide an enhanced gateway to downtown, support the community vision, support the goals of the Federal Emergency Management Agency (FEMA), and improve public access to the Genesee River.

The scope of the project consists of reconstruction and/or rehabilitation of the flood protection wall, construction of a new park and pedestrian plaza, and installation of an ADA accessible boat launch. The project also includes traffic calming measures through the construction of a raised table intersection and a reduction in pavement width at the Exchange Boulevard and Fitzhugh Place. The project will improve flood protection, physical/visual access to the waterfront, access to the Genesee Riverway Trail, and contribute to overall revitalization of a regionally significant area located between Downtown Rochester and the University of Rochester, the region's largest employer.

Details of the project were presented to Council in transmittal letters accompanying Ordinance No. 2017-332, Ordinance No. 2017-333 and Ordinance No. 2019-373.

Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Pietro V. Giovenco, CEO, 280 East Broad Street, Rochester, NY) is the design consultant for the project as authorized by Ordinance No. 2017-332 and amended by Ordinance No. 2020-200.

Joseph C. Lu Engineering, P.C., (Cletus O. Ezenwa, CEO, 339 East Avenue, Suite 200, Rochester, NY) was selected for RPR Services for Segment 1 (Corn Hill) through a Request for Proposal process, as authorized by Ordinance No. 2020-200.

Bids for construction were received on May 12, 2020. The apparent low bid of \$5,433,889.50 was submitted by Ramsey Constructors, Inc. (Christopher Ramsey, CEO, 5711 Gateway Park, Lakeville, NY). The project will be funded as follows:

	Construction	RPR	Contingency	Total
NYS Canal Corporation funds authorized Ordinance No. 2017-332	4,200,000	0	0	\$4,200,000.00
Bonds authorized Ordinance No. 2017-333	349,000	775,000	0	\$1,124,000
Bonds authorized herein	485,480.97	0	269,519.03	\$755,000
RG&E Grant authorized herein	200,000.00	0	0	\$200,000.00
2016-17 Cash Capital	12,889.41	0	625.78	\$13,515.19
2018-19 Cash Capital	150,000.00	0	0	\$150,000.00
Pure Waters Reimbursement authorized Ordinance No. 2019-190	36,519.12	0	1,825.96	\$38,345.08

Total	\$5,433,889.50	\$775,000	\$271,970.77	\$6,480,860.27
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Construction is anticipated to begin in summer 2020 with substantial completion in fall 2021. The construction funds appropriated herein will result in the creation and/or retention of the equivalent of 8.2 full-time jobs.

The geometric changes required for the project were endorsed by the Traffic Control Board on February 5, 2020.

A public hearing on the pavement width changes is required.

Respectfully submitted,  
 Lovely A. Warren  
 Mayor

Attachment No. AT-141

Ordinance No. 2020-229  
 (Int. No. 266)

**Approving geometric changes on Exchange Boulevard and the receipt of funding for electrical and lighting improvements related to the West River Wall Segment 1 Project**

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

Section 1. The Council hereby approves narrowing the pavement width of Exchange Boulevard by bringing in each of the east and west curb lines by 7 feet to narrow the roadway by a total of 14 feet for a length of approximately 85 feet that is centered on the Fitzhugh Place intersection. The geometric changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 2. The Council hereby authorizes the receipt and use of \$200,000 in funding from the Rochester Gas and Electric Corporation (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program for electrical infrastructure and lighting improvements relating to the West River Wall Segment 1 Project (Ford Street to Corn Hill Landing).

Section 3. The Mayor is hereby authorized to enter into any agreements and to execute such documentation as are necessary to effectuate the Project funding authorized herein and such agreements and documents shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$755,000 Bonds of said City to finance the City's West River Wall Segment 1 Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of the construction of the West River Wall Segment 1 Project, including reconstruction of the flood control wall and ancillary amenities on the west side of the Genesee River from Ford Street to Corn Hill Landing (the "Project"). The estimated maximum cost of said class of objects or purposes of Phase I of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,480,860. The plan of financing includes the issuance of \$755,000 bonds of the City authorized herein, and said amount is hereby appropriated therefor, a \$4,200,000 grant from the NYS Canal Corporation appropriated in Ordinance No. 2017-332, \$1,124,000 in proceeds of bonds authorized and appropriated in Ordinance No. 2017-333, \$200,000 in funding from the Rochester Gas and Electric Corporation (RG&E) Commercial Corridor/Main Street Revitalization Assistance Program appropriated in Ordinance No. 2020-229, \$13,515 in 2016-17 Cash Capital, \$150,000 in 2018-19 Cash Capital, \$38,345 in reimbursements from the Rochester Pure Waters District appropriated in Ordinance No. 2019-190 and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$755,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$755,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-231

Re: Structural Term Engineering Services

Council Priority: Creating and Sustaining  
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to structural engineering. This legislation

will authorize five (5) separate Professional Term Service Agreements with the following companies:

1. T.Y. Lin International Engineering & Architecture, P.C. (Robert J. Bradley, C.E.O., 245 East Avenue, Rochester, NY)
2. Ravi Engineering and Land Surveying, P.C. (Nagappa Ravindra, C.E.O., 2110 South Clinton Ave, Suite 1, Rochester, NY)
3. Popli, Architecture + Engineering & LS, D.P.C. (Om P. Popli, C.E.O., 555 Penbrooke Drive, Penfield NY)
4. Labella Associates, D.P.C. (Steven Metzger, C.E.O., 300 State Street, Suite 201, Rochester, NY)
5. Jensen/BRV Engineering, PLLC (Stephen Rudnicki, C.E.O., 1653 East Main Street, Suite 4, Rochester, NY)

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary from capital funds appropriated for specific projects. The cost for services will be provided utilizing pre-specified billing rates within the agreements. The agreements will have a term of three (3) years with the option to renew for two (2) additional years.

The companies listed above were selected through a request for qualifications (RFQ) process described in the attached summary. Engagement of each company will be based on project specific proposals, type of services required, and the ability to perform the services within the time specified by the City.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-142

Ordinance No. 2020-231  
(Int. No. 268)

### **Authorizing term agreements for structural engineering services**

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

Section 1. The Mayor is hereby authorized to enter into term agreements with the following consultants for various professional services related to structural engineering:

- a. T.Y. Lin International Engineering & Architecture, P.C.
- b. Ravi Engineering and Land Surveying, P.C.
- c. Popli, Architecture + Engineering & LS, D.P.C.
- d. Labella Associates, D.P.C.

e. Jensen/BRV Engineering, PLLC

Each agreement shall have a term of 3 years with the option to renew for up to two additional years. The compensation for the services provided under the agreements shall be based on pre-specified billing rates established by the City. Those rates may be adjusted at the discretion of the City upon satisfactory justification by the consultant. The compensation for services provided shall be funded from the annual budgets of Department of Environmental Services or from capital funds appropriated for specific projects.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Vice President Lightfoot  
July 21, 2020

To the Council:

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

- Int. No. 269 Appropriating funds and authorizing an agreement with Rochester Area Crime Stoppers, Inc.
- Int. No. 271 Authorizing an agreement for a Department of Justice Coronavirus Emergency Supplemental Funding Program grant
- Int. No. 272 Authorizing an amendatory agreement for Conflict Counsel services
- Int. No. 273 Amending the 2020-21 Police Department Budget and appropriating federal forfeiture funds to acquire seized vehicles
- Int. No. 274 Appropriating funds and amending the budget for the operations of the Greater Rochester Area Narcotics Enforcement Team
- Int. No. 275 Authorizing an agreement relating to the Gun Involved Violence Elimination initiative grant
- Int. No. 276 Authorizing amendatory agreements for vehicle towing services
- Int. No. 277 Authorizing an intermunicipal agreement for veterinary technology student externships
- Int. No. 278 Authorizing the receipt and use of United States Department of Homeland Security funds to investigate organized narcotics trafficking and violence
- Int. No. 279 Authorizing an agreement and budgeting for an Animal Services Pet Foster Care Stimulus Grant

- Int. No. 280 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,136,000 Bonds of said City to finance the replacement of one Engine Pumper at the Lyell Avenue Firehouse and one Engine Pumper at the North Clinton Avenue Firehouse
- Int. No. 281 Authorizing an amendatory agreement related to firefighter recruit training
- Int. No. 282 Appropriating funds for the Smoke and Carbon Monoxide Detectors Installation Program
- Int. No. 283 Authorizing an agreement for the Champion Academy Mentoring and Empowerment Initiative
- Int. No. 284 Authorizing an agreement for a competitive swimming program for youth
- Int. No. 285 Authorizing funding and an agreement for La Marketa at the International Plaza
- Int. No. 286 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,500,000 Bonds of said City to finance the replacement of mobile and portable radio equipment and the installation of a new station alerting system for the Rochester Fire Department
- Int. No. 293 Authorizing a grant agreement for the 2020 Cool Sweep program

The following entitled legislation is being **HELD** in Committee:

- Int. No. 270 Amending an intermunicipal agreement with the School District for traffic and crowd control services

Respectfully submitted,  
 Willie Lightfoot (*Abstained on Int. No. 269*)  
 Mitch Gruber (*Voted against on Int. No. 271, 274 and 275*)  
 Lashay D. Harris  
 Jose Peo  
 Loretta C. Scott (*Absent*)  
 PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL  
 Ladies and Gentlemen:

Re: Ordinance No. 2020-232  
 Appropriation - Federal  
 Forfeiture Funds for Crime  
 Stoppers

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

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

1. Appropriate \$15,000 in RPD federal forfeiture funds to support Rochester Area Crime Stoppers, Inc. and amend the 2020-21 Budget of the Police Department by said amount.
2. Establish \$15,000 as maximum compensation for an agreement with Rochester Area Crime Stoppers, Inc., (Chairperson: Paul Hawkins) an organization that promotes anonymous crime tips and provides rewards for tips that result in arrests. The cost of this agreement will be funded from the 2020-21 Budget of the Police Department and have a term of one year.

Rochester Area Crime Stoppers, Inc. also publishes the *Fugitive Flyer* to assist local law enforcement in arresting felony fugitives, and produces public awareness materials geared towards eliminating gun violence.

The appropriations requested this month will result in a balance of approximately \$614,600 in the federal forfeiture justice fund.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-232  
(Int. No. 269)

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

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

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$15,000, which amount is hereby appropriated from Federal funds realized from seized and forfeited assets to support the Crime Stoppers program.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Rochester Area Crime Stoppers, Inc., an organization that promotes anonymous crime tips and provides rewards for tips that result in arrests. The maximum compensation for the agreement shall be \$15,000, and said amount shall be funded from the 2020-21 Budget of the Police Department. The term of the agreement shall be one year.

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

Section 4. This ordinance shall take effect immediately.



Passed by the following:

Ayes – President Scott, Councilmembers Evans, Gruber, Harris, Ortiz, Patterson, Peo -7

Nays – Councilmember Lupien -1

Vice President Lightfoot abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-233  
Re: Amendment – Ordinance  
No. 2020-152

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance No. 2020-152 relating to an Inter-municipal Agreement with the Rochester City School District (RCSD) for traffic and crowd control services provided by the Rochester Police Department.

RCSD has requested assignment of Police Officers on a reimbursable overtime basis for traffic and crowd control, or events sponsored in part or in full by RSCD, such as football games, basketball games, graduation ceremonies, proms, and school dances.

Ordinance No. 2020-152 authorizes an agreement with RCSD for a maximum amount of \$50,000. The RCSD has increased the amount of the agreement to \$60,000 for 2020-21. Therefore, Ordinance No. 2020-152 Section 1 is amended from “The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District (“RCSD”) in the maximum amount of \$50,000 for the reimbursement of traffic and crowd control services provided by the Rochester Police Department at events sponsored by the RCSD” to “The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District (“RCSD”) in the maximum amount of \$60,000 for the reimbursement of traffic and crowd control services provided by the Rochester Police Department at events sponsored by the RCSD.”

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-233  
(Int. No. 270)

**Amending an intermunicipal agreement with the School District for traffic and crowd control services**

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

Section 1. Section 1 of Ordinance No. 2020-152 is hereby amended to read in its entirety as follows:

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District (“RCSD”) in the maximum amount of ~~\$50,000~~ \$60,000 for the reimbursement of traffic and crowd control services provided by the Rochester Police Department at events sponsored by the RCSD. The term of the agreement shall be from July 1, 2020 through June 30, 2021. The anticipated reimbursements from the RCSD under the agreement are hereby appropriated for the costs of providing such traffic and crowd control services.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Lightfoot, Ortiz, Patterson, Peo -6

Nays – Councilmember Gruber, Lupien -2

Councilmember Harris abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-234  
Re: Agreement – Department of Justice  
Coronavirus Emergency Supplemental  
Funding Program grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with the U.S. Department of Justice, Office of Justice Programs, for the receipt and use of \$474,300 for the Bureau of Justice Assistance FY 20 Coronavirus Emergency Supplemental Funding Program grant and amending the 2020-21 Budget of the Police Department (\$131,700) and Undistributed Expenses (\$41,800) to reflect a portion of this grant.

The total funds will be shared between the Police Department (\$304,040) and the Fire Department (\$170,260) and will be used to purchase supplies related to preparing for, preventing, and responding to the coronavirus; police overtime costs (including fringe); and fitting of N-95 masks for police.

The term of this agreement is January 20, 2020 through January 31, 2022 with a possible extension of one additional year. This is the first time the City is receiving these funds.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-234  
(Int. No. 271)

**Authorizing an agreement for a Department of Justice Coronavirus Emergency Supplemental Funding Program grant**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the U.S. Department of Justice for the receipt and use of a \$474,300 grant from the Bureau of Justice Assistance FY 20 Coronavirus Emergency Supplemental Funding Program. Said funds are hereby appropriated to the Police Department in the amount of \$304,040 and to the Fire Department in the amount of \$170,260 for supplies and personnel costs related to preparing for, preventing and responding to the coronavirus pandemic. The term of the agreement shall be January 20, 2020 through January 31, 2022, with the option to extend for 1 year.

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

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$131,700 and to the Budget of Undistributed Expenses by the sum of \$41,800, from portions of the grant funds appropriated in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo -8

Nays – Councilmember Gruber-1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-235  
Re: Amendatory Agreement –  
Law Offices of Pullano & Farrow  
PLLC, Conflict Counsel

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Law Offices of Pullano & Farrow PLLC, (Managing Partner: Brett Farrow) located at 69 Cascade Drive, Rochester, 14614 to extend the agreement for one year. The maximum compensation for the renewal period shall be \$82,500 which shall be funded from the unspent portion of the funds that were authorized in Ordinance No. 2018-142.

The Law Offices of Pullano & Farrow PLLC represent the Rochester Police Department in employee disciplinary hearings conducted pursuant to New York Civil Service Law Section 75 and the City's collective bargaining agreement with the police union, where the Chief of Police has sustained allegations of misconduct against a police officer or other Rochester Police Department employee, and where the City Law Department has a conflict of interest.

Pullano & Farrow was selected through a request for proposal process in 2018 and was approved by City Council in Ordinance No. 2018-142. The term of the agreement will be extended for one additional year, through June 17, 2021.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-235  
(Int. No. 272)

### **Authorizing an amendatory agreement for Conflict Counsel services**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with the Law Offices of Pullano & Farrow PLLC to continue providing legal services as Conflict Counsel. The amendatory agreement shall amend the professional services agreement authorized in Ordinance No. 2018-142 to extend the term for one additional year through June 17, 2021. The maximum compensation for the additional term shall be \$82,500, which shall be funded from the unspent portion of the funds that were authorized for the agreement's first two years in Section 2 of Ordinance No. 2018-142.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-236  
Re: Federal Forfeiture Funds –  
Seized Vehicles

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating up to \$5,000 from federal forfeiture funds generated by the Rochester Police Department and amending the 2020-21 Budget of the Police Department by this amount.

On occasion, the Police Department is involved with an investigation that seizes a vehicle, and as a result of the seizure, has the opportunity to take ownership of the vehicle by paying the U.S.

Marshals Service for only sharing and processing costs. The sharing and processing costs vary based on the vehicle, but are usually less than \$2,500 per vehicle. Prior to taking ownership of a seized vehicle, it is checked by personnel from the Mt. Read garage to verify that it is in good condition and fleet worthy. The newly acquired vehicles are used to replace older vehicles that are in poor condition in the Special Investigations Section's fleet.

This appropriation will allow for the purchase of up to two vehicles throughout the year if the opportunities arise. Federal Sharing Guidelines consider this type of expense to be an appropriate use of forfeiture funds.

The appropriations requested this month will result in a balance of approximately \$614,600 in the federal forfeiture justice fund.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-236  
(Int. No. 273)

**Amending the 2020-21 Police Department Budget and appropriating federal forfeiture funds to acquire seized vehicles**

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

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by \$5,000, which amount is hereby appropriated from funds received from the Federal Government from seized and forfeited assets. The appropriation herein shall be used for the sharing and processing costs to acquire up to two seized vehicles.

Section 2. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Harris, Gruber, Lightfoot, Ortiz, Patterson, Peo -8

Nays – Councilmember Lupien-1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-237  
Re: Appropriation of Forfeiture  
Funds – GRANET Operations

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$200,000 from federal forfeited property revenues attributable to the Greater Rochester Area Narcotics Enforcement Team (GRANET), and amending the 2020-21 Budget of the Police Department to reflect this amount.

These funds will be used to support GRANET operations for the 2020-21 fiscal year. GRANET participates in joint investigations which include Federal, State, and other local law enforcement agencies. The mission of GRANET is to achieve maximum coordination and cooperation among participating agencies; bring to bear their combined resources to investigate mid- and upper-level narcotics and illegal weapons offenses; and aggressively investigate career criminals in the Greater Rochester/Monroe County area, utilizing both State and Federal laws.

Under the current Memorandum of Understanding among the participating agencies, GRANET will share in any properties or funds confiscated as a direct result of a criminal investigation initiated by GRANET, pursuant to forfeiture regulations of the United States Departments of Justice and Treasury, and the Attorney General.

GRANET will use asset forfeiture funds for operational expenses including communications, electronic surveillance, confidential funds, vehicle rentals for undercover operations, supplies, and training. The proposed expenditures conform to the U.S. Department of Justice, Criminal Division, Money Laundering and Asset Recovery Section's Guidelines to Equitable Sharing for State and Local Law Enforcement Agencies. Salaries and overtime for participants will continue to be paid by each officer's respective agency.

GRANET is a multi-jurisdictional team comprised of local and federal agencies. As a participant of the team, the City administers GRANET's equitable share of federal forfeiture funds, and keeps a separate accounting for these funds. The undesignated balance in GRANET's forfeiture fund after this transfer is estimated at \$153,900.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-237  
(Int. No. 274)

**Appropriating funds and amending the budget for the operations of the Greater Rochester Area Narcotics Enforcement Team**

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

Section 1. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by the sum of \$200,000, which amount is hereby appropriated from funds realized from seized and forfeited assets to fund the operations of the Greater Rochester Area Narcotics Enforcement Team (GRANET).

Section 2. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Ortiz, Patterson, Peo -7

Nays – Councilmember Gruber, Lupien-2

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-238  
Re: Agreement – New York State  
Division of Criminal Justice Services,  
2020-21 GIVE Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to a New York State Division of Criminal Justice Services (DCJS) grant. This legislation will:

1. Authorize an agreement with DCJS for the receipt and use of a Gun Involved Violence Elimination (GIVE) grant in the amount of \$676,300 for the term of July 1, 2020 to June 30, 2021;
2. Establish \$31,000 as maximum compensation for an agreement with PathStone Corporation (President: Alexander Castro) to cover the cost of direct service provider case management for focused deterrence participants. The agreement will be funded from the 2020-21 Budget of the Police Department and have a term of one year, from July 1, 2020 to June 30, 2021.

This grant will build on the success of previous GIVE funding and support the continued work of a County-wide criminal justice taskforce to reduce violent crime in Rochester. GIVE strategies are exclusively focused on firearm related crime, primarily shootings and homicides. Methods of reducing firearm violence will be based upon empirically derived best-practices that focus on violent dispute intervention and resolution; deterring access to illegal firearms; and implementing offender-based tactics and place-based tactics. Taskforce priorities and activities are based on crime and crime response data.

The grant includes \$385,800 in overtime, but does not pay for the associated fringe cost of \$122,646. PathStone Corporation will receive \$31,000 as a sub-grantee to cover the cost of direct service provider case management for the focused deterrence participants. PathStone Corporation will employ one part-time case worker (20 hours per week) to manage the coordination of community-based services. Rochester Institute of Technology will receive \$234,300 to employ a GIVE Director, GIVE Analyst, and a Community Engagement Communications Specialist to work with the taskforce (approved in Ordinance 2018-251). The remaining \$25,200 will be used to purchase supplies for custom notifications, rental cars for undercover details, and training required by DCJS. No matching funds are required. This will be the seventh year RPD has received this award.

A Justification statement for not issuing a Request for Proposal for PathStone Corporation is attached.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-143

Ordinance No. 2020-238  
(Int. No. 275)

**Authorizing an agreement relating to the Gun Involved Violence Elimination initiative grant**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for the receipt and use of a \$676,300 Gun Involved Violence Elimination (GIVE) initiative grant. The term of the agreement shall be one year from July 1, 2020 through June 30, 2021.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with PathStone Corporation to provide case management services for participants in the GIVE initiative's focused deterrence program. The maximum compensation for the agreement shall be \$31,000, and said amount shall be funded from the 2020-21 Budget of the Police Department. The term of the agreement shall be one year from July 1, 2020 through June 30, 2021.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Ortiz, Patterson, Peo -7

Nays – Councilmember Gruber, Lupien-2

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-239

Re: Agreements – Vehicle Towing Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing amendatory agreements with the following firms for towing of standard vehicles. The amendments will extend the current agreements for one year, through August 31, 2021. The cost of the agreements will be funded from the 2020-21 Budget of the Police Department and the 2021-22 Budget of the Police Department contingent upon approval.

<u>Company</u>	<u>Address (Rochester)</u>	<u>Principal</u>
Alliance Collision Inc.	532 North Street	Daniel Tantalo
East Avenue Auto	1656 East Avenue	Paul Marone
John & Son Collision	4 Niagara Street	Michael Piacente
Excel Service & Towing	95 Seneca Avenue	Scott Chapman

These firms have satisfactorily provided services to the City since October 1, 2012 and were initially selected through a request for proposal process. The current agreements for towing services, authorized in Ordinance No. 2015-277, will expire on August 31, 2020. The proposed



amendments will extend the agreements for one additional year, allowing the City time to prepare and post a request for interest from towing companies within the City.

Private firms are hired by the City to provide towing of illegally parked, damaged, disabled, recovered stolen, and abandoned vehicles. Assignments for the towing of standard vehicles are rotated among the companies contracted for that service. The City sets the rates for towing services as opposed to the rates being submitted through a bid process. Also, the City requires interested towing companies to meet certain requirements, including but not limited to, facilities for the dispatch of tow trucks, no less than 7,500 square feet of space for storage of towed vehicles, at least 4 operating tow trucks on a year-round basis, and specific carry-on equipment (ex. spotlights, push broom, fire extinguisher, etc.).

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-239  
(Int. No. 276)

### **Authorizing amendatory agreements for vehicle towing services**

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

Section 1. The Mayor is hereby authorized to enter into amendatory towing services agreements with Alliance Collision Inc., East Avenue Auto, John & Son Collision, and Excel Service & Towing. The amendatory agreements shall amend the towing services agreements authorized in Ordinance No. 2015-277 to extend the term for one additional year through August 31, 2021.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-240  
Re: Inter-Municipal Agreement –  
Genesee Community College,  
Veterinary Technology Student  
Externships

Council Priority: Better Schools and  
Educational Opportunities

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Growth

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with Genesee Community College (GCC) for the placement of veterinary technology students in externships at Rochester Animal Services. There is no cost for this agreement. Through this agreement, GCC veterinary technology students will obtain clinical experience at Rochester Animal Services. The term of the agreement is September 1, 2020 through August 31, 2021 with up to four additional one-year renewal periods upon mutual consent of both parties. Animal Services and GCC have entered into similar agreements since 2011 and find the relationship mutually beneficial.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-240  
(Int. No. 277)

**Authorizing an intermunicipal agreement for veterinary technology student externships**

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with Genesee Community College for the placement of veterinary technology students in externships at Rochester Animal Services. No monetary compensation shall be provided. The term of the agreement shall be one year with the option to renew for up to four additional one-year periods upon mutual agreement.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2020-241  
Re: Receipt and Use of Funds from  
United States Department of  
Homeland Security

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation for the receipt and use of \$9,500 from the United States Department of Homeland Security and amending the 2020-21 Budget of the Police Department by this amount.

The United States Department of Homeland Security is providing \$9,500 as part of a joint investigation targeting an organization involved in trafficking narcotics and violence in the City of Rochester. These funds do not include fringe benefits, which are estimated to be \$3,020.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-241  
(Int. No. 278)

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

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

Section 1. The Council hereby authorizes the receipt and use of \$9,500 from the United States Department of Homeland Security to fund the Police Department's participation in a joint investigation targeting narcotics trafficking and violence in the City of Rochester.

Section 2. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by the sum of \$9,500, which amount is hereby appropriated from the funds authorized in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed by the following:

Ayes – President Scott, Councilmembers Evans, Harris, Lightfoot, Lupien, Ortiz, Patterson, Peo -8

Nays – Councilmember Lupien-1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-242  
Re: Agreement – Maddie's Fund,  
Pet Foster Care Stimulus Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Maddie's Fund for the receipt and use of \$2,500 from the Maddie's Fund Pet Foster Care Stimulus Grant, and amending the 2020-21 Budget of the Police Department by this amount.

The goal of this grant is to assist with the increased, unforeseen expenses related to foster-based pet housing and adoptions as part of the Animal Services operational response to Covid-19. These

funds will be used to buy pet food, medicines, and pet care supplies to support foster home care of dogs and cats.

The term of this grant is May 21, 2020 through August 21, 2020. This is the second time Rochester Animal Services has received a grant from Maddie's Fund.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-242  
(Int. No. 279)

**Authorizing an agreement and budgeting for an Animal Services Pet Foster Care Stimulus Grant**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Maddie's Fund, a charitable foundation, for the receipt and use of a \$2,500 Pet Foster Care Stimulus Grant to Rochester Animal Services. The term of the agreement shall be from May 21, 2020 through August 21, 2020.

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

Section 3. Ordinance No. 2020-161, the 2020-21 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Police Department by \$2,500 to reflect said stimulus grant.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2020-243  
Re: Fire Apparatus Bonding

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$1,136,000 and the appropriation of proceeds thereof to finance the purchase of firefighting apparatus.

The Fire Department periodically replaces firefighting apparatus based upon a combination of use and age. The engines being replaced are first line apparatus and are currently located at the Lyell

Ave and N. Clinton Ave fire stations. The following details the age and use of the apparatus being replaced:

<u>Apparatus No.</u>	<u>Age</u>	<u>Location</u>	<u>Annual Runs</u>
Engine 5	10 yrs	450 Lyell Ave	3,400
Engine 2	10 yrs	1207 N. Clinton Ave	3,500

Upon replacement, the existing first line apparatus that are 10 years old, will be placed into reserve status. The existing reserve apparatus are on average 19 years old and will be eligible for disposal through the Purchasing Bureau's surplus process.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-243  
(Int. No. 280)

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,136,000 Bonds of said City to finance the replacement of one Engine Pumper at the Lyell Avenue Firehouse and one Engine Pumper at the North Clinton Avenue Firehouse**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City") is hereby authorized to finance the costs of the replacement of one Engine Pumper at the Lyell Avenue Firehouse and one Engine Pumper at the North Clinton Avenue Firehouse. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,136,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,136,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,136,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,136,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 27. of the Law, is twenty (20) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-244

Re: Agreement – Personal Energy, Inc.

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:

Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement amendment to extend the term of an agreement with Personal Energy, Inc., Justin Merriam, Owner, 400

Andrews Street, Rochester, NY for consultation on physical training for firefighter recruits. The RFD has worked with Personal Energy, Inc. since 2013 with the most recent contract authorized by Ord. No. 2016-217, amended by Ord. No. 2017-144.

The anticipated graduation of the current 2020 Fire Recruit was July 2020. However, due to delays caused by the COVID-19 pandemic mandated closures, graduation will take place in the Fall of 2020. The current contract with Personal Energy, Inc. expires as of July 31, 2020. The proposed 5 month contract extension will allow the Rochester Fire Department to complete recruit training without interruption of physical fitness consultation services.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-244  
(Int. No. 281)

### **Authorizing an amendatory agreement related to firefighter recruit training**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Personal Energy, Inc. for consultation on physical training for firefighter recruits. The amendment shall extend the term of the existing agreement, which was authorized by Ordinance No. 2016-217 and amended by Ordinance No. 2017-144, by five months.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2020-245  
Re: Smoke and Carbon Monoxide  
Detectors Installation Program

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating \$55,000 from the Fire Department Small Equipment allocation of the Community Development Block Grant funds Consolidated Plan/2020-21 Annual Action Plan, for the purchase of smoke and carbon monoxide detectors during FY2020-21. The Rochester Fire Department provides and installs free smoke and carbon monoxide detectors to low and moderate income families in residential properties. The RFD coordinates and implements fire prevention and education programs to reach at-risk target

populations. During fiscal year 2019-20 year to date, RFD installed 612 smoke detectors and 576 carbon monoxide detectors in residential properties throughout the city.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-245  
(Int. No. 282)

**Appropriating funds for the Smoke and Carbon Monoxide Detectors Installation Program**

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

Section 1. The sum of \$55,000 in Community Development Block Grant funds is hereby appropriated from the Fire Department Small Equipment allocation of the Consolidated Plan/2020-21 Annual Action Plan to fund the purchase of smoke and carbon monoxide detectors for the Rochester Fire Department to install in the residences of low and moderate income families.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2020-246  
Re: Agreement - All Pro Catalyst,  
LLC, Youth Mentoring and  
Empowerment Initiative

Council Priority: Support the Creation of  
Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum annual compensation for an agreement with All Pro Catalyst, LLC (Westlake Village, California - Roland Williams, CEO, Rochester, NY) for its Champion Academy Mentoring and Empowerment Initiative. The term of the agreement will not exceed one year and will be funded from the 2020-21 Budget of Undistributed Expenses, with an option to renew for two additional, one-year terms, contingent upon approval of the future budgets.

The Champion Academy Mentoring and Empowerment Initiative will provide a two-week summer academy to 300 Rochester youth, ages 11 to 18, which focuses on life skills development, healthy behaviors, sportsmanship, and academic performance. Upon completion of the summer academy, participants will have the opportunity to participate in monthly interactive and educational workshops, community service projects, leadership training, and mentorship.



All Pro Catalyst, LLC and the Champion Academy Mentoring and Empowerment Initiative were created and are led by Roland Williams, a city of Rochester native who has gone on to become a Super Bowl Champion, ESPN and CBS sports analyst, Syracuse University graduate and award-winning performance coach. The City has supported this program since it began in 2015. The most recent agreement for this service was approved by Council in August 2017 via Ordinance No. 2017-285.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-144

Ordinance No. 2020-246  
(Int. No. 283)

**Authorizing an agreement for the Champion Academy Mentoring and Empowerment Initiative**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with All Pro Catalyst, LLC to implement the Champion Academy Mentoring and Empowerment Initiative. The term of the agreement shall continue up to one year with the option to renew for two additional one-year periods. The maximum annual compensation for the agreement shall be \$25,000, which shall be funded from the 2020-21 and subsequent years' Budgets of Undistributed Expenses, contingent upon approval of future budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-247

Re: Agreement - Rochester  
Recreational Swim Team, Inc.

Council Priority: Support the Creation  
of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$17,500 as maximum annual compensation for an agreement with the Rochester Recreational Swim Team, Inc. (RRST) (Dan Delehanty, President, Rochester, New York) to provide a competitive swimming program and

instruction for youth for the 2020-2021 year. The agreement will be funded from the 2020-21 Budget of the Department of Recreation and Youth Services (DRYS) and have a term of one year with an option to renew for four additional one-year terms with a possible maximum increase of 5% per year, contingent upon approval of the future budgets.

The RRST began in the late 1970's as a coalition of City parents who wanted to ensure there were competitive swimming opportunities available for City youth. DRYS has collaborated with the RRST since the early 1980's, providing use of City facilities and modest financial support for the program. The RRST remains the only City-based competitive swim program with the exception of one City School District team composed of a number of current or former RRST swimmers. Under the proposed agreement, RRST will continue to be responsible for the management of most aspects of the program, including the selection and supervision of the coaching staff, scheduling of practices and meets, affiliations with various swimming associations, and recruitment and coordination of volunteers.

The program serves youth between the ages of 5 and 19 years, regardless of skill level. The team operates at the Adams Street R-Center and Genesee Valley Park pools and competes in the United States Swimming and Genesee Valley Swim Leagues which is part of the Niagara District of USA swimming organization. The anticipated enrollment for 2020-21 is 60 youth. Preference for participation is provided to city residents. Recent participation by youth swimmers is as follows:

	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>	<u>2019-20</u>
Total	36	39+	30	47
City Residents	18(50%)	33(84%)	23(76%)	37 (78%)
Minorities	11(31%)	15(38%)	13(43%)	22 (46%)
Females	16(41%)	20(51%)	13(43%)	25 (53%)

The National USA Swimming average for minority participation (2010) is around 3%.

The most recent agreement for this service was approved by Council in September 2015 via Ordinance No. 2015-311. A Justification for No RFP is attached.

Respectfully submitted,  
 Lovely A. Warren  
 Mayor

Attachment No. AT-145

Ordinance No. 2020-247  
 (Int. No. 284)

**Authorizing an agreement for a competitive swimming program for youth**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Rochester Recreational Swim Team, Inc. to provide a competitive swimming program and instruction for youth. The term of the agreement shall be one year with the option to renew for up to four additional one-year periods. The maximum annual compensation for the agreement shall be \$17,500, with a possible maximum increase of 5% per year after the first year, which shall be funded from the 2020-21 and subsequent years' Budgets of the Department of Recreation and Youth Services, contingent upon approval of future budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-248

Re: Appropriation and Agreement –  
The International Plaza at La Marketa

Council Priority: Creating and Sustaining  
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation related to the activation and operation of The International Plaza at La Marketa. This legislation will:

1. Appropriate \$46,000 of Community Development Block Grant funds from 2020-21 Annual Action Plan, La Marketa at the International Plaza allocation, to support the community engagement, activation, and daily operations of La Marketa.
2. Establish \$56,000 as maximum compensation for an agreement with Ibero-American Action League, Inc. (Eugenio Marlin, CEO) (~~Angelica Perez Delgado, President and CEO, Rochester, NY~~) to provide a full-time site manager and coordination of culturally appropriate entertainment, art and community events at The International Plaza. The term of the agreement will be from August 1, 2020 through June 30, 2021. The agreement will be funded from the appropriation made herein (\$46,000) and the 2020-21 Budget of the Department of Recreation and Youth Services (DRYS) (\$10,000).

The International Plaza will provide a community gathering space to build on the tremendous arts and cultural assets of the surrounding neighborhood and a market where entrepreneurs and/or existing businesses can locate and sell their products and services in a flexible environment that is envisioned to become an incubator for neighborhood economic development. The International Plaza will be administered by DRYS staff in the Public Market division with on-site assistance from Ibero.

Ibero was chosen for this agreement based on their long history of community involvement and advocacy in the Northeast Rochester area and their leadership through Project Hope and other initiatives in creating a vision for the area including The International Plaza. The position funded in this item, will be housed at Ibero and have primary responsibility for the day to day operation and activation of the site. The remaining balance of funds will be utilized for payment for performers and other expenses related to promoting and activating the site. A justification for not issuing a request for proposals is attached. Construction of The International Plaza is underway and the site is scheduled to open Fall 2020.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Attachment No. AT-146

Ordinance No. 2020-248  
(Int. No. 285), as amended

**Authorizing funding and an agreement for La Marketa at the International Plaza**

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

Section 1. The sum of \$46,000 in Community Development Block Grant funds is hereby appropriated from the La Marketa at the International Plaza allocation of the Consolidated Plan/2020-21 Annual Action Plan to support community engagement, activation and daily operations at La Marketa at the International Plaza.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Ibero-American ~~Development Corporation~~ Action League, Inc. to provide a site manager and coordinate entertainment, art and community events for La Marketa at the International Plaza. The maximum compensation for the agreement shall be \$56,000, which shall be funded in the amounts of \$46,000 from the appropriation authorized in Section 1 herein and \$10,000 from the 2020-21 Budget of the Department of Recreation and Youth Services. The term of the agreement shall be from August 1, 2020 through June 30, 2021.

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

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-249  
Re: Fire Communication and  
Alerting Systems Bonding

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$2,500,000 and the appropriation of proceeds thereof to finance the purchase of fire communication radios and station alerting equipment to integrate into the forthcoming updated technical infrastructure of the Monroe County emergency communication and alerting system.

The fire communication system is a critical component of the Rochester Fire Department (RFD) fire/rescue/ems service operations. It provides the link between citizens and first responders by spanning the point of dispatching firefighters to incidents, to providing a secure and seamless communication capability among firefighters and dispatchers during an incident. A secure, efficient and highly functional fire communications system is critical to the safety of our citizens and first responders.

Monroe County is in the process of implementing a trunked radio system and updating their Computer Aided Dispatch (CAD) system that supports the RFD station alerting system. The fire communication equipment and alerting system currently in use by the RFD are not supported by the new emergency communication technologies planned for implementation by the County. Therefore, new equipment must be acquired and installed to continue to be compatible with the County system for safe fire/rescue/ems services both in the City and County wide. The funds appropriated will support replacement of mobile and portable radio equipment used by firefighters and installed in apparatus, and installation of a new station alerting system.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-249  
(Int. No. 286)

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,500,000 Bonds of said City to finance the replacement of mobile and portable radio equipment and the installation of a new station alerting system for the Rochester Fire Department**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City") is hereby authorized to finance the Rochester Fire Department's replacement of mobile and portable radio equipment for its personnel and vehicles and the installation of a new station alerting system to each of the Department's firehouses. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,500,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,500,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$2,500,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$2,500,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 25. of the Law, is ten (10) years.

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

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2020-250

Re: Grant Agreement, Avangrid  
Foundation, Inc.

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the receipt and use of a \$15,000 grant from the Avangrid Foundation, Inc. for the 2020 Cool Sweep program. The funding was anticipated in the 2020-21 Budgets of the Department of Recreation and Youth Services (\$11,400), Bureau of Communications (\$3,400), and Undistributed Expenses (\$200).

The Cool Sweep program, which has been in operation since 2011, provides opportunities for residents to get relief from the summer heat when the forecast calls for temperatures to reach or exceed 85 degrees. When a Cool Sweep is triggered, residents can access cooling sprays at City spray parks as well as extended hours at select City pools. When temperatures are forecasted to be 90 degrees and above, a Cool Sweep Heat Emergency is triggered, and residents are able to seek relief during extended hours at select air-conditioned R-Center locations. In 2019, twelve Cool Sweeps took place with a total attendance of 44,306.

The 2020 grant funding will support the operational costs of the program including the Cool Sweep media campaign, program coordination, and staff wages and fringe expenses at Cool Sweep sites.

This was last authorized by City Council Ordinance No. 2019-104 adopted on April 17, 2019.

Respectfully submitted,  
Lovely A. Warren  
Mayor

Ordinance No. 2020-250  
(Int. No. 293)

**Authorizing a grant agreement for the 2020 Cool Sweep program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Avangrid Foundation, Inc. (Foundation) for the receipt and use of Foundation funds in the amount of \$15,000 for operational expenses of the City's 2020 Cool Sweep program.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 7:16 p.m.

HAZEL L. WASHINGTON  
City Clerk