

ROCHESTER CITY COUNCIL

REGULAR MEETING

November 15, 2022

Present –President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith – 9.

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

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

Retirement:

DES:

Joseph D’Acquisto
Issiah Johnson

IT

Barbara Burnside

LIB

Jeanne Slocombe

RFD

Scott Fudge

RPD:

Jeffrey LaFave

APPROVAL OF THE MINUTES

By Councilmember Martin

RESOLVED, that the minutes of the Regular Meeting on October 18, 2022 and the Special Meeting on November 3, 2022 be approved as published in the official sheets of the Proceeding.

Adopted unanimously.

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

The Mayor submits the following:

Delinquent receivables for the month ending September 30, 2022

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

The Council submits Disclosure of Interest Forms from President Meléndez on Int. No. 399, from Councilmember Gruber and Councilmember Martin on Int. No. 417, and from Vice President Lupien and Councilmember Harris on Int. No. 422.

THE COUNCIL PRESIDENT --- RECEIVED AND FILED.

PUBLIC HEARINGS.

Pursuant to law, a public hearing was held on November 10, 2022 on the following matters:

Authorizing the alteration of pavement widths relating to the 2023 Preventive Maintenance Group 1 for East Avenue (Culver Road to Probert Street), Culver Road (Garson Avenue to Laurelton Road), Culver Road (Clifford Avenue to Norton Street), South Avenue (E. Henrietta Road to Elmwood Avenue) and University Avenue (Culver Road to Blossom Road), **as amended** Int. No. 406

1 speaker (William Collins)

REPORTS OF STANDING COMMITTEES
AND ACTION THEREON

By Councilmember Gruber
November 15, 2022

To the Council:

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

- Int. No. 387 Authorizing an agreement to administer a Public Murals Program, **as amended**
- Int. No. 388 Authorizing an agreement to administer a Public Art Installations Program, **as amended**
- Int. No. 389 Amending the Municipal Code with Respect to the Senior Citizens Tax Exemption
- Int. No. 390 Local Law amending City Charter Section 6-71.9 with respect to exemption from taxes for persons with disabilities and limited incomes
- Int. No. 391 Authorizing a professional services agreement with WXXI Public Broadcasting Council
- Int. No. 392 Appropriating American Rescue Plan Act funds and amending the 2022-23 Budget for cybersecurity tools, practices, and training
- Int. No. 423 Authorizing an agreement relating to Police Accountability Board personnel complaints

Respectfully submitted,
Mitch Gruber
Michael A. Patterson
Kimberly Smith
Mary Lupien
Miguel A. Meléndez Jr.

FINANCE COMMITTEE

Received, filed and published.
TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-323
Re: Professional Services Agreement –
Aria Strategies LLC - Public Murals
Program Administration

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum compensation for an agreement with Aria Strategies LLC (Principal: Aria Camaione-Lind, 990 S. Clinton Avenue, Rochester, NY14620) to administer a mural program for City-owned buildings or structures. The agreement will be funded with 2021-22 Cash Capital.

In consultation with the City, the Consultant will create and distribute a Call for Mural Artists, facilitate review of mural proposals, develop and manage the contracts with the artists, and oversee the installation of the murals. The Consultant will use \$20,000 of the funding for administrative fees. The remaining \$80,000 will be used by the Consultant to fund the cost of the public mural commissions, including artist's fees, materials, equipment, insurance and any subcontractors they require to complete the murals.

Consultant Aria Strategies LLC was selected to administer the Public Murals Program through a Request for Proposals and review committee, which is described in the attached form.

The Public Murals Program is one of two programs in the inaugural Percent for the Arts competitive processes. Legislation for the other program, the Public Art Installations Program, is being submitted separately. These programs align with the City's vision for a more dynamic and equitable city of the arts. With this vision, the City aims to: support individual artists and small organization in Rochester, representing the diversity of the City; and work toward creating art throughout all City neighborhoods, ensuring that the arts are accessible to all Rochesterians.

It is anticipated that the subsequent Call for Mural Artists will be released by the Consultant in early 2023 with installation of two or more murals to be complete by summer/fall 2023. The term of the agreement shall be two years, with an option to renew for up to one additional year.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-191

Ordinance No. 2022-323
(Int. No. 387)

Authorizing an agreement to administer a Public Murals Program, as amended

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Aria Strategies LLC to administer a Public Mural Program, including soliciting and selecting artists' mural proposals, preparing and managing mural contracts with artists, overseeing mural projects, paying the artists, and paying for the materials, equipment, and other costs of mural production. The maximum compensation for the agreement shall be \$100,000, which shall be funded from 2021-22 Cash Capital. Of that amount, no more than \$20,000 shall be allocated to compensating Roc Arts United for administrative services. The term of the agreement shall be two years with the option to extend for up to one additional year.

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

Section 3. This ordinance shall take effect immediately.

Added text is underlined

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-324
Re: Professional Services Agreement –
Roc Arts United Public Art
Installations Program
Administration

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum compensation for an agreement with Roc Arts United (Principal, Amanda Chestnut, 137 East Avenue, Suite 222, Rochester, NY, 14604) to administer an art program for City-owned buildings or structures. Rochester Contemporary Arts Center (Principal, Bleu Cease, 137 East Ave, Rochester, NY, 14604) will serve as the fiduciary for the agreement, which will be funded with 2021-22 Cash Capital.

In consultation with the City, the Consultant will create and distribute a Call for Artists, facilitate review of art proposals, develop and manage the contracts with the artists, and oversee the installation of the artworks. The Consultant will use \$20,000 of the funding for administrative fees. The remaining \$80,000 will be used by the Consultant to fund the cost of the public art commissions, including artist's fees, materials, equipment, insurance and any subcontractors they require to complete the artworks.

Consultant Roc Arts United was selected to administer the Public Art Installations Program through a Request for Proposals and review committee, which is described in the attached form.

The Public Art Installations Program is one of two programs in the inaugural Percent for the Arts competitive processes. Legislation for the other program, the Public Murals Program, is being submitted separately. These programs align with the City's vision for a more dynamic and equitable city of the arts. With this vision, the City aims to: support individual artists and small organizations in Rochester, representing the diversity of the City; and work toward creating public art throughout all City neighborhoods, ensuring that the arts are accessible to all Rochesterians.

It is anticipated that the subsequent Call for Artists will be released by the Consultant in early 2023 with installation of two or more artworks to be complete by summer/fall 2023. The term of the agreement shall be two years, with an option to renew for up to one additional year upon agreement of the parties.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-192

Ordinance No. 2022-324
(Int. No. 388)

Authorizing an agreement to administer a Public Art Installations Program, as amended

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Roc Arts United to administer a Public Art Installations Program for City-owned facilities, including soliciting and selecting artists' installation proposals, preparing and managing contracts with artists, overseeing installation projects, paying the artists, and paying for the materials, equipment, and other costs of producing each installation. The maximum compensation for the agreement shall be \$100,000, which shall be funded from 2021-22 Cash Capital. Of that amount, no more than \$20,000 shall be allocated to compensating Roc Arts United for administrative services. The parties to the agreement shall engage Rochester Contemporary Art Center, Inc. to serve as fiduciary agent to administer the funds used to implement the Public Art Installations Program agreement authorized herein. The term of the agreement shall be two years with the option to extend for up to one additional year.

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

Section 3. This ordinance shall take effect immediately.

Added text is underlined

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-325

Local Law No. 8

Re: Amendment – Persons 65 Years of Age
or Older Tax Exemption RPTL-467
Amendment – Persons with
Disabilities and Limited Incomes
Tax Exemption RPTL-459-c

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation adopting the amendment to the income limits for the Persons 65 Years of Age or Older RPTL-467 and the Persons with Disabilities and Limited Incomes RPTL-459-c tax exemptions.

Chapter 488 of the New York State Laws of 2022 raised the income limits from \$37,400 to \$58,400. The last time the income limits were raised was in 2009. Based on the new income limits, owners earning \$50,000 or less annually can receive a 50% exemption on their city and school taxes, and up to \$58,400 and still receive a 5% exemption.

There are approximately 2,000 properties currently receiving the RPTL 467 exemption and 200 properties receiving the RPTL-459-c exemption. The effect of the recommended change will impact approximately 700 existing properties receiving the exemptions, and will increase their exempt amount to 50%. In addition, once the legislation is adopted, the number of exemptions will increase and possibly double. Adoption of the new income limits will have a nominal impact on those owners not eligible for the exemption(s).

If approved, the amendments will go into effect for the 2023-24 tax year.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-325
(Int. No. 389)

Amending the Municipal Code with Respect to the Senior Citizens Tax Exemption

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

Section 1. Section 107-1 of the Municipal Code is hereby amended to read in its entirety as follows:

§ 107-1. Exemption granted.

Pursuant to the authority granted by §§ 467 ~~and 467-d~~ of the Real Property Tax Law, a partial tax exemption from real property taxation for certain real property owned by persons 65 years of age or over shall be effective in the City of Rochester as to taxes imposed by the City of Rochester.

Section 2. Section 107-2 of the Municipal Code is hereby amended to read in its entirety as follows:

§ 107-2. Age and income limits and exemption percentages.

- A. ~~Commencing with the assessment roll to be completed in 2023,~~ Persons meeting the requirements of Subsection B hereof who own qualifying real property in the City of Rochester shall be eligible for a tax exemption in the following percentages, provided that said persons meet the following maximum annual income eligibility requirements:

Annual Income	Percentage of Assessed Valuation Exempt From Taxation
\$26,000 or less <u>\$50,000 or less</u>	50%
More than \$26,000 but less than \$27,000 <u>More than \$50,000 but less than \$51,000</u>	45%
\$27,000 or more but less than \$28,000 <u>\$51,000 or more but less than \$52,000</u>	40%
\$28,000 or more but less than \$29,000 <u>\$52,000 or more but less than \$53,000</u>	35%
\$29,000 or more but less than \$29,900 <u>\$53,000 or more but less than \$53,900</u>	30%
\$29,900 or more but less than \$30,800 <u>\$53,900 or more but less than \$54,800</u>	25%
\$30,800 or more but less than \$31,700 <u>\$54,800 or more but less than \$55,700</u>	20%
\$31,700 or more but less than \$32,600 <u>\$55,700 or more but less than \$56,600</u>	15%
\$32,600 or more but less than \$33,500	10%

\$56,600 or more but less than \$57,500

~~\$33,500 or more but less than \$34,400~~

\$57,500 or more but less than \$58,400

5%

Note: ~~The income limits set forth in this chart shall increase by \$1,000 each per year for the assessment rolls completed in 2008, 2009 and 2010. Ordinance No. 2006-304 specifies the income limits and exemption percentages for taxpayers that qualified and applied for the exemption on tax assessment rolls completed prior to 2023.~~

B. The partial tax exemption provided in this article shall be available to persons who are or will be age 65 or over on or before December 31 following the taxable status date for the tax year for which the exemption is claimed.

C. In establishing income for purposes of this section, veterans disability compensation as defined in Title 38 of the United States Code shall not be included.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Local Law No. 8
(Int. No. 390)

Local Law amending City Charter Section 6-71.9 with respect to exemption from taxes for persons with disabilities and limited incomes

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 modifying Section 6-17.9 to read in its entirety as follows:

§ 6-71.9. Tax exemption for persons with disabilities and limit incomes.

The Council hereby approves the partial tax exemption of qualifying real property that is owned by one or more persons with a disability whose income is limited by reason of such disability, as authorized in § 459-c of the Real Property Tax Law, Persons with disabilities and limited incomes, to commence with the 2018-19 tax year. In addition, Council hereby approves providing said tax exemption to qualifying property owners whose income exceeds the maximum income eligibility level set forth in Subsection

459-c(5)(a), provided that the exemption is reduced proportionately in accordance with Subsection 459-c(1)(b). The exemption provided for in this section shall also be applicable to taxes levied for school purposes. Commencing with the 2023-24 tax year assessment roll initiated on the taxable status date of February 1, 2023, the Council hereby approves and authorizes increasing the income limits and adjusting the exemption percentages for the foregoing tax exemption program as follows:

<u>Annual Income</u>	<u>Percentage of Assessed Valuation Exempt from Taxation</u>
<u>\$50,000 or less</u>	<u>50</u>
<u>More than \$50,000 but less than \$51,000</u>	<u>45</u>

<u>\$51,000 or more but less than \$52,000</u>	<u>40</u>
<u>\$52,000 or more but less than \$53,000</u>	<u>35</u>
<u>\$53,000 or more but less than \$53,900</u>	<u>30</u>
<u>\$53,900 or more but less than \$54,800</u>	<u>25</u>
<u>\$54,800 or more but less than \$55,700</u>	<u>20</u>
<u>\$55,700 or more but less than \$56,600</u>	<u>15</u>
<u>\$56,600 or more but less than \$57,500</u>	<u>10</u>
<u>\$57,500 or more but less than \$58,400</u>	<u>5</u>

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

New text is underlined

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-326
 Re: Government Access Television
 (City 12) Operations

Council Priority: Creating and Sustaining
 A Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
 Building Community Capacity

Transmitted herewith for your approval is legislation establishing \$245,324 as maximum annual compensation for a professional services agreement between the City and WXXI Public Broadcasting for the operation of the City of Rochester’s Government Access Television Channel (currently named as “City 12”). The maximum compensation may be adjusted annually to reflect changes in the Consumer Price Index, but shall never exceed a 3% adjustment. The agreement will extend for a term of five years, with an option to extend for one additional fiveyear term. The first year of the agreement will be funded by \$183,993 from the 2022-23 Budget of Undistributed Expenses and \$61,331 from the 2023-24 Budget of Undistributed Expenses. Future years of the agreement will be funded from subsequent budgets of Undistributed Expenses, contingent upon the approval of said future budgets.

CITY 12 is a collaboration of the City and WXXI to operate, program and produce useful television programming for city audiences. The main purpose of City 12 is to serve as the City’s Government Access Channel and disseminate appropriate governmental information to the public. WXXI provides the City with the best and most cost effective technological capability, access to educational and news oriented programming, personnel experience and clearest alignment with the vision for channel 12 and is best-suited to maximize the size and diversity of the channel’s audience.

WXXI operates the City 12 channel 24 hours daily with diverse and urban centered education programming. The City may program City 12 with as much programming as it requires and WXXI will provide the City with studio production and viewing facilities, personnel and will record programming at the City’s request. WXXI will also provide the City with non-governmental program materials to which they have access as an educational and public broadcast television station. To the best of their ability, WXXI will provide programming that reflects the ethnic mix and diversity of the city’s population and will support the goal of providing programming that has significant informational, educational or entertainment value that is of interest to the general public. WXXI uses City-produced programming on their main channels, which cover 11 contiguous

counties. This allows a wide distribution of City-produced content for our area to see and to appreciate urban living.

A fiber channel linking WXXI and City Hall provides for high-speed data transfer between the two locations. This enables live broadcasting and internet streaming from City Hall and is accessible from City Council Chambers, the Mayor's conference room (309A) and from the second floor conference room (208-A). WXXI uses its digital master control to operate City 12 with no equipment needed by City Hall. WXXI provides live broadcasting of City Council meetings, budget hearings, events and press conferences and has the technical infrastructure in place to allow content edited at City Hall to be instantly transferred to the broadcast facility.

WXXI provides the City with professional staff and innovative video services to provide useful programming for our social/digital initiatives and is familiar with the operation of City equipment in the shooting and editing of video providing finished files for broadcast.

Given the history and nature of the high level of technical services required for this agreement, as well as the technical infrastructure that is already in place, it is recommended that the City continue its arrangement with WXXI. Attached is a No RFP Justification Form.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-193

Ordinance No. 2022-326
(Int. No. 391)

Authorizing a professional services agreement with WXXI Public Broadcasting Council

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 WXXI Public Broadcasting Council to operate, program and produce City television programming. The maximum annual compensation for the initial year shall be \$245,324, which amount shall be increased annually based on the Consumer Price Index, but not in excess of 3%. The term of the agreement shall be five years, with the option to extend for one additional period of five years. The agreement shall be funded in the amounts of \$183,993 from the 2022-23 Budget of Undistributed Expenses (Undistributed) and \$61,331 from the 2023-24 Budget of Undistributed for the first year, and from subsequent budgets of Undistributed for each subsequent year, contingent upon the approval of said future budgets.

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. 2022-327
Re: Appropriation and Budget
Amendment-American Rescue
Plan Act, Cybersecurity

Council Priority:

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Growth

Transmitted herewith for your approval is legislation related to the receipt and use of American Rescue Plan Act (ARPA) funding. This legislation will:

1. Appropriate \$144,000 in American Rescue Plan Act funding to upgrade City Information Technology cybersecurity tools, practices, and training; and
2. Amend the 2022-23 Budget of the Information Technology Department by \$64,000 to reflect a portion of the funding appropriated herein. This funding will be utilized for a cybersecurity assessment, software configuration and licenses, and related training for City employees. The remaining balance will be anticipated and included in future budgets of IT, contingent upon approval.

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). The initiative to enhance the City's cybersecurity was included in the City of Rochester's Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021. This project is an eligible use of ARPA funding in the Final Rule Expenditure Category 6.1 Provision of Government Services.

The funds will be used to implement new network security hardware & licenses for the areas of the City's IT network that lack protection currently; enhance the City's cybersecurity operations center, procure outside assessment of City's IT Security Program and practices; increase security training for City IT staff; and expand and improve external vulnerability scanning.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-327
(Int. No. 392)

Appropriating American Rescue Plan Act funds and amending the 2022-23 Budget for cybersecurity tools, practices, and training

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

Section 1. The Council hereby appropriates the sum of \$144,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund City Information Technology cybersecurity tools, practices, and training upgrades (Project).

Section 2. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended to increase the revenue estimates and appropriations to the Budget of the Department of Information Technology by \$64,000 to reflect a portion of the funding appropriated in Section 1 herein.

Section 3. The Mayor is hereby authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund the Project. Any such agreements and documents 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. 2022-328
Re: Counsel for PAB Personnel Issues:
Professional Services Agreement

Transmitted herewith for your approval is legislation authorizing a professional services agreement with the Law Offices of Pullano & Farrow PLLC (Managing Member: Brett Farrow) located in the city at 69 Cascade Drive (Pullano & Farrow) to counsel and assist the Department of Human Resource Management to respond to personnel complaints relating to the Police Accountability Board (PAB).

The agreement will have a term of up to one year with the option to extend for additional time as necessary to conclude the response to a pending complaint. The maximum compensation for the agreement will be \$25,000, which will be funded from the PAB's allocation of the 2022-23 Budget of the City Council and Clerk.

In 2018 Pullano & Farrow was selected through a request for proposal process to provide conflict counsel services for Rochester Police Department disciplinary hearings (Ordinance No. 2018-142). This year, the firm also was engaged under a separate agreement as conflict counsel for matters arising from other City departments. The justification for not issuing a new request for proposals for this proposed engagement is attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-194

Ordinance No. 2022-328
(Int. No. 423)

Authorizing an agreement relating to Police Accountability Board personnel complaints

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 Law Offices of Pullano & Farrow PLLC (Pullano and Farrow) to counsel and assist the Department of Human Resource Management to respond to personnel complaints relating to the Police Accountability Board. The maximum compensation for the agreement shall be \$50,000, which shall be funded from the PAB's allocation of the 2022-23 Budget of the City Council and Clerk. The term of the agreement shall be up to one year with the option to extend for additional time if necessary for Pullano and Farrow to complete its services with regard to a pending complaint.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lupien, Patterson, Peo, Smith - 7.

Nays - Councilmembers Lightfoot, Martin - 2.

By Councilmember Patterson
To the Council:

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

- Int. No. 393 Authorizing the sale of real estate
- Int. No. 394 Authorizing the sale of real estate on Hartford Street
- Int. No. 395 Authorizing a license agreement for the use of City property as a community garden at 133 Kenwood Avenue
- Int. No. 396 Amending Ordinance No. 2021-391 as it relates to the sale and maintenance of 40 and 42 Commercial Street
- Int. No. 397 Authorizing the sale of easements in Science Park
- Int. No. 398 Appropriating funds and authorizing agreements for the 2022 Lead Hazard Control Program
- Int. No. 399 Authorizing an amendatory agreement relating to the Buy the Block project
- Int. No. 400 Authorizing payment in lieu of taxes agreement for the Midtown Manor Apartments Project

Respectfully submitted,
Michael A. Patterson
LaShay D. Harris
Kimberly Smith (*voted against Int. No. 400*)
Mary Lupien (*voted against Int. No. 400*)
Miguel A. Meléndez, Jr. (*abstained from Int. No. 399*)

NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-329
Re: Sale of Real Estate

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

The first two properties are parcels that will be created by the abandonment of portions of three streets. They are listed on the attached spreadsheet under the heading I. Negotiated Sale –Vacant Land. Portions of Guerney Street and Holly Avenue are being sold to the adjoining owner, Acquest South Park, LLC (William Huntress, President, 5554 Main Street, Williamsville, NY) to be combined with its adjoining property. The purchaser intends to construct a warehouse, loading docks and a parking lot. The sale prices are based upon an appraisal prepared by Midland Appraisal Associates, Inc. in February, 2022.

The third property, 198 Bartlett Street, is listed on the attached spreadsheet under the heading, II. Negotiated Sale - Unbuildable Vacant Land, and is being sold to Joseph A. McClaney III, 194 Flint Street, Rochester, New York. It is being sold for \$1.00 (as per City policy) and will be combined with the primary parcel owned by the identified adjoining owner.

The first year projected tax revenue for these properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$380.

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

Respectfully submitted,
 Malik D. Evans
 Mayor

Attachment No. AV-195

Ordinance No. 2022-329
 (Int. No. 393)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcels of vacant land formerly designated as rights-of-way (ROW) on the City’s Official Map but authorized to be abandoned as such by Ordinance Nos. 2022-301 and 2022-302, respectively:

Parcel	Size	Price	Purchaser
Guerney Street former ROW	50’ x 134.75’	\$9,800	Acquest South Park, LLC
Holly Avenue, east half of former ROW	25’ x 134.75’	\$5,050	Acquest South Park, LLC

The legal descriptions of the two parcels are:

ABANDONED PORTION OF GUERNEY STREET:

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE CITY OF ROCHESTER, COUNTY OF MONROE, STATE OF NEW YORK, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT AT THE WEST RIGHT-OF-WAY OF COLFAX STREET, SAID POINT BEING AT THE INTERSECTION WITH THE NORTH RIGHT OF-WAY LINE OF LEXINGTON AVENUE; THENCE,

1. S 89°22'56" W, ALONG THE NORTH RIGHT-OF-WAY OF LEXINGTON AVENUE, A DISTANCE OF 98.28 FEET TO AN ANGLE POINT IN THE NORTH RIGHT-OF-WAY AS SHOWN ON A MAP ENTITLED "KPS SUBDIVISION BEING A RESUBDIVISION OF LOT 2" FILED IN THE MONROE COUNTY CLERK'S OFFICE AT LIBER 333 OF MAPS, PAGE 84; THENCE,
2. S 89°39'25" W, ALONG THE NORTH RIGHT-OF-WAY OF LEXINGTON AVENUE, A DISTANCE OF 106.29 FEET AS SHOWN ON SAID MAP TO THE POINT OF BEGINNING, SAID POINT BEING THE SOUTH EAST CORNER OF THE RIGHT-OF- WAY OF GUERNEY STREET, FORMERLY KNOWN AS ROSE AVENUE; THENCE,
3. S 89°39'25" W, CONTINUING ALONG THE NORTH RIGHT-OF-WAY OF LEXINGTON AVENUE, A DISTANCE OF 50.0 FEET TO A POINT AT THE SOUTH WEST CORNER OF THE RIGHT-OF-WAY OF GUERNEY STREET; THENCE,
4. N 00°20'35" W, ALONG THE WEST RIGHT-OF-WAY OF GUERNEY STREET, A DISTANCE OF 134.75 FEET TO A POINT AT THE NORTH WEST CORNER OF GUERNEY STREET; THENCE,
5. N 89°39'25" E, ALONG THE NORTH RIGHT-OF-WAY OF GUERNEY STREET, A DISTANCE OF 50.00 FEET TO A POINT AT THE NORTH EAST CORNER OF GUERNEY STREET; THENCE,
6. S 00° 20' 35" E, ALONG THE EAST RIGHT-OF-WAY OF GUERNEY STREET, A DISTANCE OF 134.75 FEET TO THE POINT OF BEGINNING.

HEREBY INTENDING TO DESCRIBE A PARCEL OF LAND CONTAINING 0.155 MORE OR LESS ACRES OF LAND, ALL AS SHOWN ON A MAP ENTITLED "GUERNEY STREET RIGHT OF WAY TO BE ABANDONED", DATED JANUARY 13, 2022 AS PREPARED BY PASSERO ASSOCIATES, PROJECT NO. 20070770.013A

ABANDONED PORTION OF HOLLY AVENUE:

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE CITY OF ROCHESTER, COUNTY OF MONROE, STATE OF NEW YORK, AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT AT THE WEST RIGHT-OF-WAY OF GUERNEY STREET, SAID POINT BEING AT THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF LEXINGTON A VENUE; THENCE,

1. S 89° 39' 25" W, ALONG THE NORTH RIGHT-OF-WAY OF LEXINGTON A VENUE, A DISTANCE OF 630.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE SOUTH EAST CORNER OF THE RIGHT-OF-WAY OF HOLLY A VENUE; THENCE,
2. S 89° 39' 25" W, CONTINUING ALONG THE NORTH RIGHT-OF-WAY OF LEXINGTON AVENUE, A DISTANCE OF 25.00 FEET TO A POINT AT THE CENTERLINE RIGHT-OF-WAY OF HOLLY AVENUE; THENCE,
3. N 00° 20' 35" w, ALONG THE CENTERLINE OF HOLL y A VENUE, A DISTANCE OF 134.75 FEET TO A POINT AT THE NORTH RIGHT OF WAY OF HOLLY A VENUE; THENCE,
4. N 89° 39' 25" E, ALONG THE NORTH RIGHT-OF-WAY OF HOLLY A VENUE, A DISTANCE OF 25.00 FEET TO A POINT AT THE NORTH EAST CORNER OF HOLLY AVENUE; THENCE,
5. S 00° 20' 35" E, ALONG THE EAST RIGHT-OF-WAY OF HOLLY AVENUE, A DISTANCE OF 134.75 FEET TO THE POINT OF BEGINNING.

HEREBY INTENDING TO DESCRIBE A PARCEL OF LAND BEING THE EAST HALF OF THE HOLLEY A VENUE RIGHT OF WAY IN THE CITY OF ROCHESTER CONTAINING 0.077 MORE OR LESS ACRES OF LAND, ALL AS SHOWN ON A MAP ENTITLED "HOLLY A VENUE RIGHT OF

WAY TO BE ABANDONED", DATED JANUARY 13, 2022, REVISED APRIL 12, 2022 AS PREPARED BY PASSERO ASSOCIATES, PROJECT NO. 20070770.013A.

Section 2. The Council hereby approves the sale of the following parcel of unbuildable vacant land to be joined to an adjoining residential parcel for \$1.00:

Address	SBL #	Size	Sq. Ft.	Purchaser
198 Bartlett Street	120.67-2-70	36.42' x 87'	3,168	Joseph A. McClaney III

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-330
Re: Sale of Real Estate – 15 Hartford Street, 28 Hartford Street and Abandoned Portions of Hartford Street

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the sale to adjoining landowners by negotiation of various portions of the Hartford Street right-of-way that the City previously authorized to be abandoned. The first two listed parcels were authorized to be abandoned in Ordinance No. 2012-429. The third item is comprised of two parcels totaling approximately 2,900 square feet (SF) out of the approximately 5,975 SF abandoned pursuant to Ordinance No. 2012-310. The properties will be sold to OBC Upstate LLC, T Upstate LLC, J Upstate LLC, and G Upstate LLC (Joseph Ricciuti, Managing Partner, 79 Madison Avenue, 15th Floor, New York, NY) which will hold the properties as tenants-in-common. Appraisals were obtained from Bruckner, Tillett, Rossi, Cahill & Associates in August 2022.

Address	SBL#	Lot Size	Sq.Ft.	Appraisal Value	Zoning
15 Hartford Street	106.57-3-81	36' x 125'	1,950	\$500	C-2
28 Hartford Street	106.57-2-45	50' x 62.7'	2,380	\$500	M-1
Abandoned Portions of Hartford Street	TBD	Various	2,900	\$725	M-1

Purchaser owns all the remaining parcels on Hartford Street and will acquire the properties to allow future redevelopment and potential expansion of the existing business. Pursuant to the requirements of the

New York State Environmental Quality Review Act (SEQRA), a negative declaration was issued on September 29, 2022.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-196

Ordinance No. 2022-330
(Int. No. 394)

Authorizing the sale of real estate on Hartford Street

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

Section 1. The Council hereby approves the negotiated sale of the following vacant City-owned parcels to OBC Upstate LLC, T Upstate LLC, J Upstate LLC, and G Upstate LLC as tenants in common for a total price of \$1,725:

Address	SBL #	Lot size	Sq.Ft.	Appraise Value
15 Hartford Street	106.57-3-81	36' x 125'	1,950	\$500
28 Hartford Street	106.57-2-45	50' x 62.7'	2,380	\$500
Abandoned Right-of Way in Hartford Street	TBD	Irregular	2,900	\$725

The above-referenced abandoned right-of-way in Hartford Street shall consist of two portions of the right-of-way authorized to be abandoned in Ordinance No. 2012-310 and described as follows:

PORTION OF HARTFORD STREET
Adjacent to #24 HARTFORD STREET
T.A. #106.570-02-13.005

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 65, 2nd Division, and being more particularly bounded and described as follows: Beginning at the northeast corner of former Hartford Street, as abandoned by Ordinance No. 2012-429, said corner being the Point or Place of Beginning; thence

- 1) Easterly, along the northerly bounds of Hartford Street to the southwest corner of Lot 2 of the Samuel Luckys Subdivision; thence
- 2) Southerly, at right angles to the said northerly bounds of Hartford Street, a distance of 25.0 feet to the centerline of said Hartford Street; thence
- 3) Westerly, along said centerline to the easterly bounds of former Hartford Street, as abandoned by Ordinance No. 2012-429, thence
- 4) Northerly, along the easterly bounds of former Hartford Street, as abandoned by Ordinance No. 2012-429, a distance of 25.0 feet to the Point or Place of Beginning.

Subject to covenants, easements or restrictions of record, if any.

PORTION OF HARTFORD STREET
Adjacent to T.A. #106.570-03-7 and #106.570-02-13.005
#40, 41 & 46 HARTFORD STREET

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 65, 2nd Division, and being more particularly bounded and described as follows: Beginning on the southerly bounds of Hartford Street at the northeast corner of Lot 21, Section 1, of the Hiram Davis Tract, as filed in the Monroe County Clerk's Office in Liber 1 of Maps, Page 41; said point also being the southwesterly corner of the former Hartford Street, as abandoned by Ordinance No. 2003-351, thence

- 1) Westerly, along the southerly bounds of Hartford Street, a distance of about 40 feet to the northwest corner of Lot 21, Section 1, of the Hiram Davis Tract, as filed in the Monroe County Clerk's Office in Liber 1 of Maps, Page 41; thence
 - 2) Northerly, at right angles to the said southerly bounds of Hartford Street, a distance of 25.0 feet to the centerline of said Hartford Street; thence
 - 3) Westerly, along said centerline of Hartford Street to a point opposite the southwest corner of Lot 3 of the Samuel Lucky Subdivision; thence
 - 4) Northerly, at right angles to the northerly bounds of Hartford Street, a distance of 25.0 feet to the southwest corner of Lot 3 of the Samuel Lucky Subdivision, thence
 - 5) Easterly, along the northerly bounds of Hartford Street to the northwest corner of former Hartford Street, as abandoned by Ordinance No. 2003-351, thence
 - 6) Southerly, along the westerly bounds of former Hartford Street, as abandoned by Ordinance No. 2003-351, a distance of 50.0 feet to the Point or Place of Beginning.
- Subject to covenants, easements or restrictions of record, if any.

Section 2. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-331

Re: License Agreement for Community
Garden – Rotary Club of Rochester
Southwest

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a license agreement between the City and Rotary Club of Rochester Southwest, (Lisa Norwood, 74 Appleton Street, Rochester, NY) for the use of premises located at 133 Kenwood Avenue. The license agreement has a term of five years, and there is no fee.

The Rotary Club of Rochester Southwest has been the backup support group for the garden at 133 Kenwood Avenue for three years. The organization has demonstrated a sustainable gardening operation that is supported by the immediate neighborhood. The garden has been maintained at a high standard and has had no complaints. This marks the fourth five-year garden permit issued to organizations.

The City retains the right to terminate all or part of the license with 90 days written notice. The licensee will then be required to relinquish the site at the end of the prevailing growing season which is defined as December 15th of the notification year.

The Mayor is hereby authorized to enter into this license agreement.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-197

Ordinance No. 2022 - 331
(Int. No. 395)

Authorizing a license agreement for the use of City property as a community garden at 133 Kenwood Avenue

WHEREAS, the City of Rochester has received a proposal from the Rotary Club of Rochester Southwest (Rotary) for the continued use of a City-owned parcel of land located at 133 Kenwood Avenue as a community garden for a term of five years;

WHEREAS, Rotary has provided support for the operation of a community garden at this site for approximately three years during which the garden has been operated and maintained at high standards;

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

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

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

Section 1. The Mayor is hereby authorized to enter into a license agreement with the Rotary Club of Rochester Southwest to operate and maintain a community garden at the following City-owned property:

Address	SBL #
133 Kenwood Avenue	120.58-1-2

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

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-332
Re: Amending Ordinance No. 2021-391;
Sale of 40-42 Commercial Street

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the amendment of Ordinance Number 2021-391 to change the name of the approved entity from Metro Falls Development, LLC to Commercial Falls, LLC, an affiliated LLC. The ownership structure of both entities are the same, however, the purchaser wishes to take title in the name of the Commercial Falls, LLC.

The authorization in 2021 approved the sale of portions of 40-42 Commercial St (the "Property") to Metro Falls Development LLC, (Ben Kendig, Owner, 60 Browns Race, Rochester, NY) (the "Purchaser") and a professional services agreement to provide maintenance and cleaning services for remaining City-owned portions of 40 and 42 Commercial Street, which includes the High Falls Overlook.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-198

Ordinance No. 2022-332
(Int. No. 396)

Amending Ordinance No. 2021-391 as it relates to the sale and maintenance of 40 and 42 Commercial Street

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

Section 1. Sections 1 and 3 of Ordinance No. 2021-391, authorizing the sale of real estate and maintenance agreement relating to 40 and 42 Commercial Street, are hereby amended as follows without modifying the legal descriptions incorporated in Section 1 therein:

Section 1. The Council hereby approves the negotiated sale of the following parking lot parcels with proposal for \$377,000 to ~~Metro Falls Development, LLC (Metro Falls)~~ Commercial Falls, LLC:

Address	S.B.L. No.	Lot Size
Portion of 40 Commercial St	106.70-1-8.012	0.634
Portion of 42 Commercial St	106.70-1-32	0.231

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with ~~Metro Falls~~ Commercial Falls, LLC to provide maintenance and cleaning services at the High Falls Overlook and the other portions of 40 and 42 Commercial Street not conveyed to ~~Metro Falls~~ Commercial Falls, LLC by Section 1 herein. The term of the agreement shall be five years and the maximum compensation shall be \$50,000, which shall be paid in the form of credits against the purchase price that ~~Metro Falls~~ Commercial Falls, LLC is obligated to pay under Section 1 herein.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-333
Re: Sale of Access Easement –
Portion of 330 and 340
Science Parkway

Council Priority: Rebuilding and
Strengthening Neighborhoods

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation approving the sale of a permanent nonexclusive easement over portions of 330 Science Parkway (SBL No. 136.63-1-7) and 340 Science Parkway (SBL No. 136.64-1-1) to 293 A Alden Road LLC, (Robert C. Morgan, Manager). The purpose of the easement is to allow access to the purchaser in order to build and maintain a privately owned road linking Science Parkway to Gateway Road in Brighton.

The purchase price of \$1,850.00 was established via independent appraisal by Bruckner, Tillet, Rossi, Cahill & Associates in January, 2022.

The purchaser is building a mixed use project in Brighton at the west end of Science Park. The purchaser will build and maintain a privately owned roadway between Science Parkway and Gateway Road which accesses Elmwood Ave via a private road system on their property in Brighton and 1201 Elmwood Ave in the City of Rochester which is already owned and developed by the purchaser. The road will be open to all traffic allowing travel between their project in Brighton to South Ave and East Henrietta Road to the West, and from Science Park to Elmwood Ave to the east and north. The owners of property in the Science Park Planned Development were consulted on this project and easement prior to the City moving forward with an agreement.

The portion of easement over 330 Science Parkway is 0.035 Acres (1506+/- SF) is a very narrow sliver of land along the south border of that parcel and should not affect any potential future sale or development of that property.

The portion of easement over 340 Science Parkway is 0.923 Acres (40,218.0+/- SF) and is on a parcel that is not intended for development or sale. It's layout, other easements, and a storm water impoundment area on this parcel make it unsuitable for development and thus it was not included as a development site in the Science Park Offering Plan. This easement should have no negative impact on the City's use of this lot.

The roadway shall be built to City imposed standards and shall be open to pedestrian, bicycle and vehicular ingress and egress.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-199

Ordinance No. 2022-333
(Int. No. 397)

Authorizing the sale of easements in Science Park

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

Section 1. The Council hereby approves the sale of a permanent non-exclusive easement over a portion of 330 Science Parkway (SBL# 136.63-1-7) to 293 A Alden Road LLC to build and maintain a privately owned road linking Science Parkway to Gateway Road in Brighton (the Project). The permanent easement shall encompass:

All that certain tract, piece or parcel of land situate in the City of Rochester, County of Monroe, State of New York, and being more particularly bounded and described as follows:

BEGINNING AT A POINT, said point being at the southeast corner of Parcel 12 from the Subdivision Map prepared by Sear-Brown and filed in the Monroe County, Clerk's Office at Liber 242 Page 87, and being on the division line between Parcel 12 and the Non-Development Parcel to the south, thence along the bounds of Science Parkway the following course and distance;

Along a curve turning to the left with an arc length of 5.37 feet, a radius of 90.00 feet, a delta angle of 03°25'08", a chord bearing of N 39°21'19" W, a chord length of 5.37 feet, thence through the said lands of the City of Rochester the following two (2) courses:

1. N 71°48'42" E a distance of 257.91 feet to a point;
2. thence with a curve turning to the left with an arc length of 96.07 feet, a radius of 237.50 feet, a delta angle of 23°10'36", a chord bearing of N 60°13'24" E, a chord length of 95.42 feet, to a point on the said division line between said Parcel 12 and the Non-Development Parcel to the south;

thence along said division line the following two (2) courses:

1. Along a curve turning to the right with an arc length of 111.05 feet, a radius of 250.00 feet, a delta angle of 25°27'05", a chord bearing of S 59°06'01" W, a chord length of 110.14 feet to a point; thence
2. S 71°49'34" W a distance of 242.00 feet TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 0.035+/- ACRE OR 1506 +/- SQ. FEET OF LAND.

Section 2. The Council hereby approves the sale of a permanent non-exclusive easement over a portion of 340 Science Parkway (SBL# 136.63-1-1) to 293 A Alden Road LLC for the Project. The permanent easement shall encompass:

All that certain tract, piece or parcel of land situate in the City of Rochester, County of Monroe, State of New York, and being more particularly bounded and described as follows:

BEGINNING AT A POINT, said point being at the southeast corner of Parcel 12 from the Subdivision Map prepared by Sear-Brown and filed in the Monroe County Clerk's Office at Liber 242 Page 87, and being on the division line between said Parcel 12 and the Non-Development Parcel to the south, thence along the said division line the following three (3) courses and distances:

1. N 71°49'34" E a distance of 242.00 feet to a point;
2. Along a curve turning to the left with an arc length of 222.53 feet, a radius of 250.00 feet, a delta angle of 51°00'00", a chord bearing of N 46°19'34" E, a chord length of 215.26 feet to a point;
3. N 20°49'34" E a distance of 242.98 feet to a point on the division line of the said NON-Development Parcel to the south and the land now or formerly of 293 A Alden Road LLC Tax Parcel 136.56-1-1 Liber 10890 Page 347 to the north, thence along said division line S 45°30'05" E a distance of 65.51 feet to a point on the division line of the said NON-Development Parcel to the east and the land now or formerly of 293 A Alden Road LLC Tax Parcel 136.14-1-1.3 Liber 10890 Page 347 to the west, thence along said division line S 20°49'34" W a distance of 389.22 feet to a point; thence

through the said lands of the City of Rochester Tax Parcel No. 136.64-1-1 the following three (3) courses:

1. N 37°08'51" W a distance of 55.37 feet to a point;
2. thence with a curve turning to the right with an arc length of 102.50 feet, a radius of 287.50 feet, a delta angle of 20°25'41", a chord bearing of S 61°35'51" W, a chord length of 101.96 feet,
3. S 71°48'42" W a distance of 252.09 feet to a point on the bounds of Scenic Parkway; thence along the said bounds

Along a curve turning to the left with an arc length of 45.65 feet, a radius of 90.00 feet, a delta angle of 29°03'36", a chord bearing of N 23°06'57" W, a chord length of 45.16 feet TO THE POINT AND PLACE OF BEGINNING

CONTAINING 0.923+/- ACRE OR 40218.0 +/- SQ. FEET OF LAND.

Section 3. The sale price for the easements to be sold pursuant to Section 1 and Section 2 herein shall be \$1,850 in the aggregate.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-334

Re: 2022 Lead Hazard Control Program

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 City's 2022 Lead Hazard Control Program. This legislation will:

- 1) Accept a grant award and appropriate the receipt and use of \$3,689,491.70 from the U.S. Department of Housing and Urban Development; and
- 2) Authorize program agreements with property owners to assist with the cost of remediating lead-based paint hazards.

Ordinance No. 2022-205 authorized the City to submit a grant application to the U.S. Department of Housing and Urban Development (HUD) to remediate lead-based paint hazards. The City received a funding award from HUD on October 5, 2022. The funding will allow the City to continue its efforts to combat child lead poisoning through the remediation of lead based paint hazards in low-income, at risk neighborhoods where the incidence of child lead poisoning is greatest.

The program will provide financial assistance to eligible property owners who own a 1-4 family residential structure. The funds are available to households throughout the city that have children under the age of six residing in the home. To be eligible, property owners must be current with City and Monroe County property

taxes and not be subject to tax or mortgage foreclosure. Household incomes must be at or below 80% of the Housing and Urban Development (HUD) area median income to be adjusted annually.

Under this program examples of eligible repairs include: window and/or door replacement, siding, porch repair or replacement, painting and soil remediation, and minor repair work associated with the lead hazard control work. The work will be completed by contractors who satisfy the city's requirements, and the funds will be paid directly to the contractor upon completion of the work and submission of an invoice. The funds will assist approximately 150 properties.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 334
(Int. No. 398)

Appropriating funds and authorizing agreements for the 2022 Lead Hazard Control Program

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

Section 1. The sum of \$3,689,491.70 in anticipated reimbursements from the U.S. Department of Housing and Urban Development is hereby appropriated to implement the Lead Hazard Control Program to remediate lead based paint hazards in low-income households with young children residing in one- to four-unit residential buildings (Program).

Section 2. The Mayor is hereby authorized to enter into agreements with recipients and to execute such other documents as may be necessary to implement the Program. All such agreements and documents shall be contingent on compliance with federal regulations and 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. 2022-335
Re: Amendatory Agreement - Buy
the Block Project, Greater Rochester
Housing Partnership, Inc.

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an Amendatory Project Agreement with the Greater Rochester Housing Partnership, Inc. (GRHP; Principal: Theodora Finn, 16 East Main Street, Suite 610, Rochester, NY), Greater Rochester Partnership Housing Development Fund Corporation, a related entity, or an entity to be formed by GRHP to increase the maximum grant amount approved by City Council via Ordinance No. 2022-130 on May 10, 2022 by \$350,000, to a new maximum of \$6,350,000. This amendment will cover a funding gap for the construction of two-bedroom single-family homes during the first phase of the Buy the Block program. The source of funding is 2019-20 Cash Capital.

City Council approved Ordinance No. 2021-385 on December 14, 2021, authorizing the appropriation of \$13,329,862 from the City of Rochester’s American Rescue Plan Act (ARPA) allocation to operate Buy the Block. Buy the Block will subsidize the creation of single-family houses to be sold to income-eligible first-time homeowners. Homes built through the Buy the Block program will be affordable to homebuyers with incomes of no more than 60% of Median Family Income (MFI), though the program allows for the sale of homes to purchasers up to 80% MFI, promoting income diversity. This first phase of Buy the Block (the “Project”) is expected to result in the new construction of up to 24 homes in a formerly-redlined neighborhood in the Northeast quadrant. The Project is being undertaken by GRHP in partnership with Atlas Contractors LLC (Atlas), Ibero American Development Corporation (IADC), and Howard Hanna’s Garcia Team.

Construction of the first six model homes commenced in September 2022 and is scheduled for completion in early 2023. Up to 18 additional homes will be built in 2023 based on buyer demand Ordinance No. 2022-128 established \$6,000,000 as maximum compensation for an agreement with GRHP, with an average \$250,000 subsidy per house for the 24 homes. The City of Rochester is providing all subsidy necessary for the first six homes to be affordable to low-income homebuyers. GRHP will apply to the New York State Affordable Housing Corporation and other sources for additional funding for the other eighteen homes, to reduce the amount of ARPA subsidy required for each future home.

Additional guidance from the U.S. Department of the Treasury released subsequent to City Council’s approval of the Project has continued to clarify acceptable uses of ARPA funding, and Buy the Block must comply with HOME Investment Partnerships Program Funding (HOME) maximum per-unit subsidy limit guidelines. Due to this, the proposed additional funding requested is necessary to fill a gap that now exists for the development of the Project’s two bedroom homes. The HOME maximum subsidy limit for a two-bedroom home is \$222,694, which, with an \$89,000 sale price to the purchaser, causes a need for \$33,192 per house. There is one two-bedroom model home under construction. The additional 18 homes will be built based on demand, and it is unknown how many will be two-bedroom homes. The proposed amendment would allow for up to ten two-bedroom homes to be constructed as part of the Project. Funding limits are sufficient for the other five models. Funding for each of the six models is as follows:

Model Name	Norton	Clifford	Portland	Woodward	Durand	Ellison
# Bedrooms	2	3	3	3	3	4
Estimated Construction Cost	\$344,886	\$357,076	\$356,035	\$370,421	\$392,286	\$400,330
Purchase Price	\$89,000	\$103,000	\$112,000	\$120,000	\$134,500	\$139,000
Subsidy Needed	\$255,885	\$254,076	\$244,035	\$250,421	\$257,786	\$261,330
HOME Subsidy Limit	\$222,694	\$288,094	\$288,094	\$288,094	\$288,094	\$316,236
Funding Gap	\$33,192	N/A	N/A	N/A	N/A	N/A

The Project meets the guidelines in the City’s Affordable Housing Policy as codified in Section 10-11 of the City Code. The Rochester 2034 Comprehensive Plan and the City of Rochester’s 2008 Housing Policy support sustaining and increasing homeownership, and this proposal promotes homeownership in a neighborhood that has experienced disinvestment.

Respectfully submitted,
 Malik D. Evans
 Mayor

Ordinance No. 2022-335
 (Int.No. 399)

Authorizing an amendatory agreement relating to the Buy the Block project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Greater Rochester Housing Partnership, Inc. (GRHP), Greater Rochester Partnership Housing Development Fund Corporation, a related entity, or an entity to be formed by GRHP (collectively, the Developer) to develop single-family houses on certain vacant lots for sale to income-eligible first-time homeowners pursuant to the Buy the Block project (Project). The amendatory agreement shall amend the existing agreement authorized in Ordinance No. 2022-130 to increase the maximum compensation by \$350,000 to a new total of \$6,350,000. The amendatory compensation shall be funded from 2019-20 Cash Capital.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Smith - 7.

Nays – Councilmember Peo - 1.

President Meléndez abstained due to a professional relationship.

President Melendez requested to amend Int. No. 400
Moved by Vice President Lupien; 2nd by Councilmember Peo
Motion to amend passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-336
Re: Midtown Manor Apartments Project –
Payment in Lieu of Taxes
Agreement (PILOT)

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 Midtown Manor Apartments Project (Midtown Manor), located at 475 East Broad Street and 495 East Broad Street, Rochester, New York 14607, for the ongoing provision of affordable rental housing. Conifer Realty, LLC, (Sam Leone, President), located at 1000 University Avenue # 500, Rochester, New York 14607, has an agreement to purchase the property with Southeast Loop Area Three B Houses, Inc. (Mitchell Brodsky, President), the current owner of the property. Through this project, Conifer Realty, LLC or a single purpose affiliated entity (collectively, Conifer) is committed to retaining and preserving affordable rental housing in Center City Rochester.

This legislation will authorize property tax exemptions and a payment in lieu of taxes (PILOT) for Midtown Manor. The PILOT agreement will provide a thirty (30) year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs).

The current owner has a shelter rent PILOT agreement for the property that is not transferrable to a new owner upon sale of the property. The purchase agreement for the property will expire on December 16, 2022, requiring the closing to take place prior to that date. For the project to be feasible, Conifer will need to secure a PILOT agreement in advance of the property acquisition, as it will make the project feasible to manage in the interim, and allow the project to qualify for funding necessary to undertake much needed rehabilitation of the project.

The proposed Midtown Manor development will preserve 200 units of existing affordable housing to households with income not more than 80% Median Family Income. The project consists of a single residential building containing 200 apartments on 21 floors, and a small parking lot. The residential building was constructed in 1974 and is significantly outdated and in need of revitalization to ensure long-term success as affordable housing for the next 30 years. It should be noted that existing affordability requirements for Midtown Manor are slated to end in 2025, when the last State regulatory agreement for affordable rental housing for the project is set to expire. Without the new affordability commitments agreed to by Conifer, the sale of the property after the existing 2025 expiration date could possibly include transition to market-rate housing that could result in significant rent increases for existing tenants or a need to relocate to other, more affordable housing.

Conifer's planned acquisition and subsequent renovations will ensure that Midtown Manor continues to be an affordable community for its residents. However, this will only be possible through ongoing partnerships with the State of New York, the City of Rochester and the Rochester Housing Authority.

To minimize potential rent increase to existing residents, Conifer is pursuing project-based housing choice vouchers for all 200 apartments. Fifty (50) vouchers have already been awarded by New York State Homes and Community Renewal. Once the Rochester Housing Authority and NYSHCR issues its next request for proposals later this year Conifer will apply for the vouchers needed so that no resident at Midtown Manor will pay more than 30% of their income in rent. This rental assistance will allow the property to remain affordable to Extremely Low Income and Low Income households.

The current overall condition of Midtown Manor is typical for a building type of its age. Some of the challenges with a building more than forty-five years old is increased maintenance costs, inefficient energy usage, and outdated mechanical systems. The building was constructed with precast concrete panels assembled at the site. The first floor contains the main entrance lobby with two elevators, management offices, and several lounge and community room areas. Floors 2-21 contain a total of 100 studio apartments, and 100 1-Bedroom apartments. Each studio apartment is approximately 425 SF, and the 1-Bedroom apartments are 520SF. The project is currently occupied and is zoned correctly for continued multifamily use.

Midtown Manor is located adjacent to Park Square (the former Manhattan Square Apartments/ South East Tower), which was recently rehabilitated by Conifer, and close to the Neighborhood of Play and former Inner Loop East sites. As such, Midtown Manor is the last significant property in the immediate area that has yet to be redeveloped. Midtown Manor and Park Square represent the only affordable housing that pre-dates all the nearby new development. Since the Inner Loop East project began, the area has seen significant new construction of market rate and mixed income apartments and buildings converted from under-performing commercial uses to trendy market rate lofts. Rents in the market area are as high as \$2,700 for a one-bedroom apartment.

While this growth is an important element of the neighborhood fabric, equally important is long-term affordable housing for City residents most in need. The preservation of Midtown Manor is essential to ensuring Downtown Rochester remains a place that all families, regardless of income, can call home. It is critically important that community renewal is inclusive of its longtime residents. Midtown Manor will ensure that very low-and low-income residents city residents are part of, and included in, the next chapter of this exciting community transformation.

The preliminary sources and uses for the Project are summarized below, and subject to change as project planning continues:

<u>Uses</u>	<u>Amount</u>		<u>Permanent Sources</u>	<u>Amount</u>
Acquisition Cost	\$14,700,000		HFA (1 st Mortgage)	\$7,880,000
Soft Costs	\$16,482,749		Other HCR Subsidy	\$36,963,153
Hard Construction Costs	\$45,117,990		HCR Accrued Interest/ Construction	\$2,227,782
Reserves	\$746,628		Fed. LIHTC	\$35,679,080
Developer Fee	\$8,275,293		Deferred Developer Fee	\$2,572,645
TOTAL	\$85,322,660		TOTAL	\$85,322,660

The PILOT Review Committee approved the new PILOT on October 21, 2022.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-200

Ordinance No. 2022-336
(Int. No. 400)

Authorizing payment in lieu of taxes agreement for the Midtown Manor Apartments Project, as amended

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

Section 1. The Mayor is hereby authorized to enter into a payment in lieu of taxes (PILOT) agreement with Conifer Realty, LLC or with an affiliated single purpose entity (collectively, the Developer) for the following parcels to effectuate the Midtown Manor Apartments Project to rehabilitate and continue the affordability of approximately 200 housing units located in the Midtown Manor apartment building (the Project):

Street Address	SBL Number
475 East Broad Street	121.33-1-2
495 East Broad Street	121.33-1-7

This PILOT agreement shall provide that said parcels shall remain entitled to a real property tax exemption, provided that the Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 2. The term of the PILOT Agreement shall run for 30 years, 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 purpose of providing affordable rental housing in accordance with the conditions for maintaining low-income housing tax credits and financing as well as other legal requirements.

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

Section 4. If corrections to code violations are not made based on a reasonable schedule set forth by the City, the City of Rochester, through the Law Department's housing attorney, shall take enforcement action including but not limited to commencing of litigation for the appointment of a receiver, seeking imposition of fines, and/or the bringing of contempt proceedings.

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined and highlighted.

Passed unanimously.

By Councilmember Lightfoot
November 15, 2022

To the Council:

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

- Int. No. 401 Appropriating funds and authorizing an amendatory agreement relating to the Resiliency and Economic Development Initiative projects along the Genesee River
- Int. No. 402 Authorizing an amendatory agreement relating to the Mount Hope Cemetery Site Enhancements project
- Int. No. 403 Authorizing funding and an agreement for the West River Wall Segment 2 Project
- Int. No. 404 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$270,000 Bonds of said City to finance the Bausch and Lomb Library Roof Replacement
- Int. No. 405 Authorizing an agreement relating to the Bausch and Lomb Library Roof Replacement project
- Int. No. 407 Authorizing an agreement for the 2024 Milling & Resurfacing Project – Park Avenue (South Goodman Street to East Avenue), St. Paul Street (Lowell Street to Riverbank Place) and St. Paul Street (Norton Street to Tyler Street)
- Int. No. 408 Amending the 2022-23 Budget relating to the Pave Our Potholes program
- Int. No. 409 Authorizing agreement and funding for a Brownfields Job Training program
- Int. No. 410 Authorizing agreements for services related to hazardous materials management
- Int. No. 411 Amending Ordinance No. 2022-310 relating to a Smart City application for the City's Solid waste and recycling vehicles

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

Int. No. 406 Authorizing the alteration of pavement widths relating to the 2023 Preventive Maintenance Group 1 for East Avenue (Culver Road to Probert Street), Culver Road (Garson Avenue to Laurelton Road), Culver Road (Clifford Avenue to Norton Street), South Avenue (E. Henrietta Road to Elmwood Avenue) and University Avenue (Culver Road to Blossom Road), **as amended**

Respectfully submitted,
Willie J. Lightfoot
Mitch Gruber
Jose Peo
Mary Lupien
Miguel A. Meléndez, Jr.

PARKS & PUBLIC WORKS COMMITTEE COMMITTEE

Received filed and published

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-337
Re: Amendatory Agreement – Ramboll
 Americas Engineering Solutions, Inc.
 – Lake Ontario Resiliency and
 Economic Development Initiative
 (REDI) Grants

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Lake Ontario REDI Grants.
This legislation will:

1. Appropriate \$166,250 anticipated reimbursements from Lake Ontario Resiliency and Economic Development Initiative (REDI) grant as administered through Dormitory Authority of the State of New York (DASNY); and,
2. Authorize an amendatory agreement with Ramboll Americas Engineering Solutions, Inc., (Thomas A. Nowlan, C.E.O., 751 Arbor Way, Suite 200, Blue Bell, Pennsylvania), to provide additional design services for the project. This amendment shall increase the maximum compensation, which was authorized in Ordinance No. 2020-140, by \$175,000 to a new maximum total of \$855,000. The amendatory agreement will be funded with the REDI funds appropriated herein and \$8,750 of 2016-17 Cash Capital.

New York State launched the REDI program in May 2019 to meet the needs of State residents living in the eight (8) counties impacted by Lake Ontario and St. Lawrence River flooding. The \$300 million program is intended to repair damage caused by previous flood events and to increase the resiliency of municipal shoreline facilities to protect against anticipated future high water events. The project includes approximately 2,900 feet of shoreline on the west bank and 975 feet of shoreline on the east bank of the Genesee River south of the Port of Rochester. The project will provide continuous flood protection along the riverbank, update land-side storm sewer system and utilities to better handle future storm water intrusion, and provide other improvements to repair past and prevent future flood related damages.

While the City is leading the project and is responsible for overall project management, there are numerous project partners involved. This multi-agency effort includes the United States Coast Guard (USCG), NYS Department of Environmental Conservation (DEC), Monroe County (MC), Town of Irondequoit (Town), Rochester Yacht Club (RYC) and T&S Holdings, a private property owner on the west bank of the river. MC, Town and T&S Holdings own property and/or facilities within the project boundary and are providing matching funds for the improvement of their property and/or facilities. DEC and RYC own property impacted by the project but are not contributing financing to the project. USCG owns properties on both the west and east banks of the river and are implementing a coordinated project with their own resources and funding.

Ramboll was selected for these additional design services as they are already under contract to complete the design of the project. The amendment includes, but is not limited to, additional design services related to mussel survey and relocation and other design modifications as requested by various project partners.

Construction is anticipated to begin in spring 2023 and be substantially complete in summer 2024.

The additional funding for the project will result in the creation and/or retention of the equivalent of 1.9 full-time jobs.

The term of the agreement shall remain unchanged, and shall terminate (6) months after completion of the bidding phase.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-201

Ordinance No. 2022-337
(Int. No. 401)

Appropriating funds and authorizing an amendatory agreement relating to the Resiliency and Economic Development Initiative projects along the Genesee River

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

Section 1. The sum of \$166,250 in anticipated reimbursements from the Lake Ontario Resiliency and Economic Development Initiative (REDI) grant administered through the Dormitory Authority of the State of New York is hereby appropriated to implement two Genesee River shoreline improvement projects (collectively, the Project).

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Ramboll Americas Engineering Solutions, Inc., or its affiliate Ramboll US Corporation or Ramboll US Consulting, Inc., to provide additional design services for the Project. The amendatory agreement shall amend the existing agreement authorized in Ordinance No. 2020-140 to increase the maximum compensation by \$175,000 to a new total of \$855,000. The amendatory compensation shall be funded in the amounts \$166,250 from the REDI grant funds appropriated in Section 1 herein and \$8,750 in 2016-17 Cash Capital.

Section 3. The amendatory 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. 2022-338
Re: Amendatory Agreement- Martha
Lyon Landscape Architecture, LLC
– Mount Hope Cemetery Site
Enhancements

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Mount Hope Cemetery Site Enhancements project. This legislation will authorize an amendatory agreement with Martha Lyon Landscape Architecture, LLC (Martha Lyon, C.E.O., 313 Elm Street, Northampton, Massachusetts), to increase the maximum total compensation by \$25,000 to a maximum total of \$155,000 for conceptual design, estimates, and calculating revenue generation for the development of South Avenue within the cemetery. The amendatory agreement will be financed from 2018-19 Cemetery Cash Capital.

The project will develop the south end of the cemetery, adjacent to Elmwood Avenue, to include a combination of road decommissioning, perimeter fencing and niche wall design. This project will provide perimeter security, enhance views into the cemetery, as well as develop new interment spaces.

The site enhancements project was designed by Martha Lyon Landscape Architecture, LLC and authorized by Ordinance No. 2018-64 and amended by Ordinance No. 2020-79. Martha Lyon was selected for these additional design services based on their site familiarity and expertise in historic cemetery design.

The new conceptual designs are anticipated to be completed in summer 2023.

The additional funding for the project will result in the creation and/or retention of the equivalent of 0.5 full-time jobs.

The term of the agreement shall extend until six (6) months after completion and acceptance of the construction of the project.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-202

Ordinance No. 2022-338
(Int. No. 402)

Authorizing an amendatory agreement relating to the Mount Hope Cemetery Site Enhancements 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 Martha Lyon Landscape Architecture, LLC to provide perimeter security, enhance views into the cemetery, and development of new interment spaces related to the Mount Hope Cemetery Site Enhancements project (Project). The amendatory agreement shall modify the existing agreement that was authorized by Ordinance No. 2018-16 and amended by Ordinance No. 2020-79 to increase the maximum compensation by \$25,000 to a new total of \$155,000. The amendatory compensation shall be funded from

2018-19 Cash Capital. The term of the agreement shall extend until six months after completion and acceptance of the Project construction.

Section 2. The amendatory 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. 2022-339
Re: Agreement – Bergmann Associates,
Architects, Engineers, Landscape
Architects & Surveyors, D.P.C.
– West River Wall Segment 2

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 West River Wall Segment 2 Project. This legislation will:

1. Appropriate \$935,000 in anticipated reimbursements from New York State Department of State (NYS DOS) to partially finance final design of the West River Wall Segment 2 trail and park project; and,
2. Establish \$1,935,000 as maximum compensation for a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Kevin L. Haney, C.E.O., 280 East Broad Street, Rochester, New York) to provide final design services related to the project. The design agreement will be funded as follows:

Source of Funds	Amount
NYS DOS Grant appropriated herein	\$935,000
2022-23 Cash Capital	\$1,000,000
Total	\$1,935,000

The West River Wall Segment 2 project has been identified as “Restore the Shore” in the ROC the Riverway Vision Plan. The project area has been historically defined as the Vacuum Oil Waterfront, extending along the west bank of the Genesee River, from the Erie-Lackawanna Pedestrian Bridge north to Ford Street. The project scope includes, but is not limited to, restoration of flood protection, mitigation of site environmental conditions, creation and connections to the adjacent PLEX neighborhood, and creation of future development sites.

Bergmann was selected for final design services as they are already under contract to complete the preliminary design and State Environmental Quality Review (SEQR) of the project. Final design funding and agreements cannot be authorized until SEQR is complete. A No RFP Justification Statement is attached.

The agreement will result in the creation and/or retention of the equivalent of 21 full-time jobs.

The term of the agreement shall extend until six (6) months after final acceptance of the project.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-203

Ordinance No. 2022-339
(Int. No. 403)

Authorizing funding and an agreement for the West River Wall Segment 2 Project

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

Section 1. The sum of \$935,000 in anticipated reimbursements from the New York State Department of State (NYS DOS) is hereby appropriated to fund a portion of the final design for the West River Wall Segment 2 project extending along the west bank of the Genesee River from the Ford Street Bridge to the Erie-Lackawanna Pedestrian Bridge (collectively, the Project).

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide final design services for the Project. The maximum compensation for the agreement shall be \$1,935,000, which shall be funded in the amounts of \$935,000 from anticipated NYS DOS reimbursements appropriated in Section 1 herein and \$1,000,000 from 2022-23 Cash Capital. The final design services provided for herein shall not be authorized to proceed until the completion of environmental impact review in accordance with the State Environmental Quality Review Act. The term for the agreement shall continue until six months after final acceptance of the Project work.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-340
Ordinance No. 2022-341
Re: Re: Agreement – CPL Architects,
Engineers, Landscape Architect
and Surveyor, D.P.C. dba
CPL - Bausch and Lomb Library
Roof Replacement

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 Bausch and Lomb Library Roof Replacement. This legislation will:

1. Authorize the issuance of bonds totaling \$270,000 and the appropriation of the proceeds thereof to finance the cost of design and construction of the project, and;
2. Establish \$105,000 as maximum compensation for a professional services agreement with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. dba CPL (Todd M. Liebert, C.E.O., 100 S. Clinton Avenue, Suite 700, Rochester, New York) for architectural design services;

The Bausch & Lomb roof is original to the building (1997); there have been numerous leaks from the membrane roofing and skylight in the past several years. The project will include installation of a new single-ply (EPDM) insulated roof system. Existing smoke vents and vent pipes will be replaced, and roof drainage systems will be repaired and insulated against condensation. Several areas of the metal roof will require repair and/or additional coating restoration. Lastly, fixed access ladders will be added to adjacent different levels of the roof to meet current code. The existing roof is over 25 years old and out of warranty. The new roof system will have a minimum 30-year warranty.

The estimated total project cost is \$790,000, funded with grant to be appropriated in October 2022 council meeting of \$522,408 and \$270,000 in Library debt appropriated herein.

This proposed legislation was developed by the Department of Environmental Services in collaboration with the Library Department.

CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. dba CPL was selected for design services for the roof replacement architectural and engineering design services through a request for proposal process, which is described in the attached summary.

Design will begin in fall 2022 with construction anticipated to begin in 2023. This legislation will result in the creation and/or retention of the equivalent of 1.1 full-time jobs.

The term of the agreement shall extend until three (3) months after the completion of the two (2) year guarantee inspection of the project.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-204

Ordinance No. 2022-340
(Int. No. 404)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$270,000 Bonds of said City to finance the Bausch and Lomb Library Roof Replacement

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 replacing the roof of the Bausch and Lomb Library building located at 114 South Avenue (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$792,408. The plan of financing includes the issuance of \$270,000 bonds which are hereby appropriated therefor, \$522,408 of a grant from the New York State Education Department, Division of Library Development authorized to be used for the Project in Ordinance No. 2022-296 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 \$270,000 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 \$270,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2022-341
(Int. No. 405)

Authorizing an agreement relating to the Bausch and Lomb Library Roof Replacement project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. to provide architectural design services for the Bausch and Lomb Library Roof Replacement project (Project). The maximum compensation for the agreement shall be \$105,000, which shall be funded from proceeds of bonds authorized for the Project in a concurrent ordinance. The term of the agreement shall extend to three months after completion of the two-year guarantee inspection of the Project.

Section 2. The agreement authorized herein 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. 2022-342
Re: 2023 Preventive Maintenance
Group 1 East Avenue (Culver Road to
Probert Street), Culver Road
(Garson Avenue to Laurelton Road),
Culver Road (Clifford Avenue to
Norton Street), South Avenue
(E. Henrietta Road to
Elmwood Avenue), University Avenue
(Culver Road to Blossom Road)

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the 2023 Preventive Maintenance Group 1 Project, which includes segments of East Avenue, Culver Road, South Avenue and University Avenue as described above. This legislation will authorize geometric changes as listed below:

1. On East Avenue, a decrease in pavement width of 11 feet, from 36 feet to 25 feet, beginning approximately 39 feet west of the west curb line of East Boulevard and continuing approximately 142 feet eastward.
2. On East Boulevard, a decrease in pavement width of 20 feet, from 45 feet to 25 feet, beginning approximately 44 feet south of the south curb line of East Avenue and continuing approximately 115 feet northward.
3. On East Boulevard, a decrease in pavement width of 20 feet, from 45 feet to 25 feet, beginning at the south curb line of University Ave and continuing approximately 55 feet southward.
4. On Culver Road, a decrease in pavement width of 8 feet, from 40 feet to 32 feet, beginning approximately 72 feet south of the south curb line of Parsells Avenue and continuing approximately 167 feet northward.

5. On Parsells Avenue, a decrease in pavement width of 17 feet, from 50 feet to 33 feet, beginning at the west curb line of Culver Road and continuing approximately 79 feet westward.
6. A reconfiguration of the western portion of the 5-legged intersection of Culver Road, Masters Street, Densmore Street, and Charwood Circle as depicted in the attached diagram.

These changes will reduce pedestrian crossing distances and will facilitate a greater level of pedestrian safety.

The project includes, but is not limited to milling and resurfacing of the pavement, spot curb and hazardous sidewalk replacements, installation or upgrade of sidewalk curb ramps, adjustment and repair of manholes, receiving basins, and water valve castings, and replacement of traffic pavement markings and the addition of on-street bicycle facilities. These improvements will enhance the surface drainage and riding quality of the roadway, improve accessibility for all users, and expand the useful life of the pavement structure.

A public informational meeting was held on July 28, 2022. A copy of the meeting minutes is attached. The geometric changes were endorsed by the Traffic Control Board at the October 19, 2022 meeting.

Construction is anticipated to begin in spring 2023 and be substantially complete by fall 2023.

A public hearing on the pavement width changes is required.

Respectfully submitted,
 Malik D. Evans
 Mayor

Attachment No. AV-205

Ordinance No. 2022-342
 (Int. No. 406)

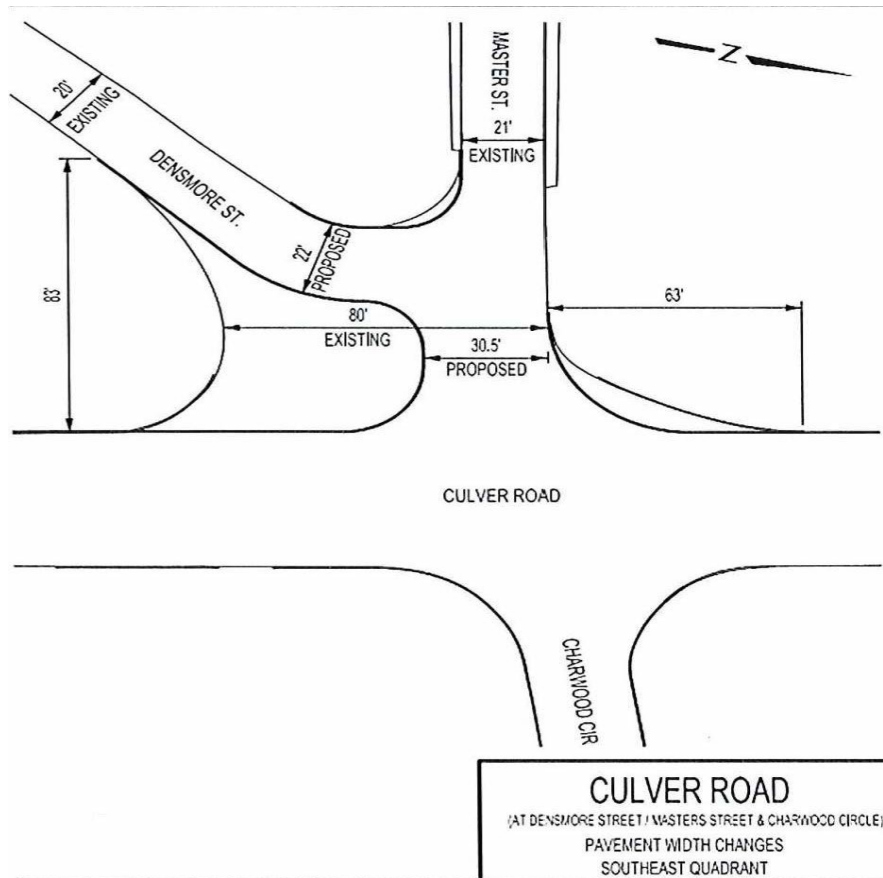
Authorizing the alteration of pavement widths relating to the 2023 Preventive Maintenance Group 1 for East Avenue (Culver Road to Probert Street), Culver Road (Garson Avenue to Laurelton Road), Culver Road (Clifford Avenue to Norton Street), South Avenue (E. Henrietta Road to Elmwood Avenue) and University Avenue (Culver Road to Blossom Road) as amended

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

Section 1. Council hereby approves the following pavement width changes to be implemented as part of the 2023 Preventive Maintenance Group 1 for East Avenue (Culver Road to Probert Street), Culver Road (Garson Avenue to Laurelton Road), Culver Road (Clifford Avenue to Norton Street), South Avenue (E. Henrietta Road to Elmwood Avenue) and University Avenue (Culver Road to Blossom Road):

- A. On East Avenue: a decrease in pavement width of 11 feet, from 36 feet to 25 feet, beginning approximately 39 feet west of the west curb line of East Boulevard and continuing approximately 142 feet eastward.
- B. On East Boulevard:
 1. a decrease in pavement width of 20 feet, from 45 feet to 25 feet, beginning approximately 44 feet south of the south curb line of East Avenue and continuing approximately 115 feet northward; and,
 2. a decrease in pavement width of 20 feet, from 45 feet to 25 feet, beginning at the south curb line of University Ave and continuing approximately 55 feet southward.

- C. On Culver Road: a decrease in pavement width of 8 feet, from 40 feet to 32 feet, beginning approximately 72 feet south of the south curb line of Parsells Avenue and continuing approximately 167 feet northward.
- D. On ~~Parsells~~ Parsells Avenue: a decrease in pavement width of 17 feet, from 50 feet to 33 feet, beginning at the west curb line of Culver Road and continuing approximately 79 feet westward.
- E. At the five-legged intersection of Culver Road, Masters Street, Densmore Street and Charwood Circle: reconfigurations to the western portion as depicted in the following diagram:



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

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. 2022-343
Re: 2024 Milling & Resurfacing Project
Park Avenue (South Goodman Street
to East Avenue), St Paul Street
(Lowell Street to Riverbank Place),
St Paul Street (Norton Street to
Tyler Street)

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the 2024 Milling & Resurfacing Project. This legislation will establish \$550,000 as maximum compensation for a professional service agreement with Barton & Loguidice, D.P.C. (John F. Brusa Jr., C.E.O., 11 Centre Park, Suite 203, Rochester, New York) for engineering design and construction administration services related to this project.

The agreement will be funded from:

Source of Funds	Amount
2022-23 Cash Capital	\$525,000
2021-22 Cash Capital	\$25,000
Total	\$550,000

The project will include, but is not limited to milling and resurfacing of the pavement, spot curb and sidewalk replacement, installation or upgrade of sidewalk curb ramps, adjustment and repair of manholes, receiving basins, and water valve castings, replacement of traffic pavement markings. The addition of on-street bicycle facilities will be evaluated during preliminary design. These improvements will enhance the surface drainage and riding quality of the roadway, improve ADA accessibility, and expand the useful life of the pavement structure.

Barton & Loguidice, D.P.C. was selected to provide engineering design and construction administration services through a request for proposal process, which is described in the attached summary.

Design services are anticipated to begin in fall 2022. The design and construction administration phase of the project will result in the creation and/or retention of the equivalent of 6.0 full-time jobs.

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

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-206

Ordinance No. 2022-343
(Int. No. 407)

Authorizing an agreement for the 2024 Milling & Resurfacing Project – Park Avenue (South Goodman Street to East Avenue), St. Paul Street (Lowell Street to Riverbank Place) and St. Paul Street (Norton Street to Tyler Street)

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 Barton & Loguidice, D.P.C. to provide design and construction administration services for the 2024 Milling & Resurfacing Project – Park Avenue (South Goodman Street to East Avenue), St. Paul Street (Lowell Street to Riverbank Place) and St. Paul Street (Norton Street to Tyler Street) (the Project). The maximum compensation shall be \$550,000, which shall be funded in the amounts of \$525,000 from 2022-23 Cash Capital and \$25,000 from 2021-22 Cash Capital. The term of the agreement shall extend until three months after completion of the 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. 2022-344
Re: 2022-23 Budget Amendment –
NYS Pave Our Potholes (POP)
Program

Council Priority: Deficit Reduction and
Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation amending the 2022-23 Budget of Cash Capital to reflect the receipt and use of additional revenues from NYS in the amount of \$835,100. This additional revenue reflects the new Pave Our Potholes (POP) Program to resurface and renew roadway pavements in the State. At the time the proposed 2022-23 budget was approved by City Council, this POP program was not included in the state budget.

The State Transportation Plan authorized \$100 million state-wide for this purpose and expects to include it annually for the next four years. This amendment represents the amount allocated to the City of Rochester. This funding will help local governments cover the costs of needed road rehabilitation and reconstruction to improve the physical condition of roadways, create jobs, and enhance local competitiveness. Eligible projects include road resurfacing and reconstruction projects with a life of ten years or more.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-344
(Int. No. 408)

Amending the 2022-23 Budget relating to the Pave Our Potholes program

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

Section 1. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of Cash Capital by the amount of \$835,100 to reflect the receipt of funds provided by New York State through its Pave Our Potholes program (Program), which amount is hereby appropriated to implement the Program in the city.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-345
Re: Grant Acceptance –
USEPA Brownfields Job
Training Program

Comprehensive Plan 2034 Initiative Area:
More Jobs and Neighborhood Development/
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to a Brownfields Job Training (BJT) program funded by the United States Environmental Protection Agency (USEPA).

This legislation will:

1. Authorize the Mayor to enter into a grant agreement with the USEPA; and
2. Authorize the receipt and use of \$200,000 in anticipated USEPA grant funds for the purpose of financing a Brownfields Job Training program.

In September 2021, the City applied for a USEPA Brownfield Job Training Program grant to continue the successful Rochester Environmental Job (REJob) Training Program with “REJob 3.0”. The City was notified by the USEPA in August 2022 that our application was approved. Many of Rochester’s disadvantaged residents live in the proposed program target area, which has a legacy of environmental impairments, including more than 400 confirmed brownfields that inhibit investment in the community and reduce economic opportunities. REJob 3.0 will focus on those areas of the City by helping residents gain employment associated with brownfield cleanup and redevelopment. REJob 3.0 once again targets dislocated workers, underemployed and unemployed individuals including low income and minority residents, veterans, and those with little or no advanced education.

The REJob 3.0 Program will recruit and train up to 60 unemployed or underemployed City residents in core occupational and environmental areas that provide certifications to work in the asbestos abatement, hazardous waste remediation, and environmental cleanup fields.

The term of the agreement is three years. It is anticipated that REJob 3.0 will begin in the winter of 2023 and will train two cohorts of program participants in the first two (2) years of the program. The third year of the grant will be dedicated to participant tracking and follow-up employment placement services as needed.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-345
(Int. No. 409)

Authorizing agreement and funding for a Brownfields Job Training program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Environmental Protection Agency (USEPA) for the receipt and use of a \$200,000 grant for the purpose of funding a Brownfields Job Training program (the Program). The term of the agreement shall be three years.

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

Section 3. The sum of \$200,000 in anticipated reimbursements from the USEPA grant authorized in Section 1 herein is hereby appropriated to the Program.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-346
Re: Professional Services Agreements -
Hazardous Materials Services

Rochester 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 hazardous materials management:

Firm Name	Address	Principal
AAC Contracting, LLC	175 Humboldt Street, Suite 200 Rochester, New York 14610	Michelle Schleher, President
ME Holvey Consulting, LLC (WBE)	P.O. Box 1252 Pittsford, New York 14534	Mary Ellen Holvey, Owner
MATRIX Environmental Technologies, Inc.	3730 California Road Orchard Park, New York 14127	Sean Carter, President
Nothnagle Drilling, Inc.	1821 Scottsville Mumford Road Scottsville, New York 14546	Timothy Nothnagle, President
Sessler Environmental Services, LLC	1330 Research Forest Macedon, New York 14502	Brian Sessler, President
SUN Environmental Corp.	230 McKee Road, P.O. Box 24398 Rochester, New York 14624	Matthew Notaro, President
Atlantic Testing Laboratories (WBE)	3495 Winton Place Rochester, New York 14623	Marijean Remington, CEO
TREC Environmental, Inc.	1018 Washington Street Spencerport, New York 14559	Keith Hambley, President

The City routinely has a need for various services related to the identification, disposal and remediation of hazardous materials. These services include, but is not limited to testing and characterization of wastes, exploratory and geotechnical drilling services, transportation and disposal of hazardous materials, removal of wastes generated at City facilities or abandoned at City properties, underground storage tank removal, operation and maintenance of remedial systems, spill cleanup, indoor air quality assessment, and abatement of asbestos, lead, or mold.

Agreements for these services have been in place with area environmental contractors since 1992, most recently in January 2019 (Ordinance No. 2018-405).

The Department of Environmental Services issued a request for proposals on August 29, 2022 for these services resulting in proposals from eight (8) firms. All of the responding firms are recommended for agreements.

When services are required, proposals from one or more of these companies will be requested. The selection of a specific firm will depend upon the type of environmental services required, their ability to meet the City's schedule, and the quality and cost of their proposal.

The number and types of projects will depend on the needs of the various departments that are requiring services. The cost of the project specific proposals will be based on the unit prices specified in each firm's agreement with the City.

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

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

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-207

Ordinance No. 2022-346
(Int. No. 410)

Authorizing agreements for services related to hazardous materials management

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

Section 1. The Mayor is hereby authorized to enter into professional services agreements with the following consultants for services related to hazardous materials management as required by the City:

AAC Contracting, LLC
ME Holvey Consulting, LLC
MATRIX Environmental Technologies, Inc.
Nothnagle Drilling, Inc.
Sessler Environmental Services, LLC
SUN Environmental Corp.
Atlantic Testing Laboratories
TREC Environmental, Inc.

Section 2. The agreements shall extend for a term of two years with up to two optional renewals of one year each. The services provided shall be as requested by the City on an as-needed basis. The amount of

the compensation shall be based on unit prices specified in each firm's agreement and shall not exceed the amount budgeted or otherwise appropriated for each project. The compensation shall be funded from the annual Budget of the Department of Environmental Services, from the Budget of another Department using the services, or from capital funds appropriated for a particular project.

Section 3. The agreements 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. 2022-347
Re: Technical Amendment –
Ordinance No. 2022-310,
Agreement with Rubicon Global, LLC
for Solid Waste Software-as-a-Service
Solution

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance No. 2022-310 that approved a professional services agreement for a cloud-based solution offered as a Software-as a- Service (SaaS) product; training and implementation support; ongoing managed services; and fleet optimization services. This legislation corrects the name of the vendor from Rubicon Technologies, LLC to Rubicon Global, LLC. Rubicon Global, LLC is the operating company of Rubicon Technologies Holdings, LLC. In addition to this correction the name of the CEO changed effective October 13, 2022. The new CEO is Phil Rodoni. This correction does not alter the actual intended funding sources and maximum annual compensation rate for the agreement. All other terms and conditions approved in Ordinance No. 2022-310 remain the same.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-347
(Int. No. 411)

Amending Ordinance No. 2022-310 relating to a Smart City application for the City's solid waste and recycling vehicles

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

Section 1. Section 1 of Ordinance 2022-310, authorizing an agreement to provide a Smart City application for the City's solid waste and recycling vehicles, is hereby amended to read as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with ~~Rubicon Technologies, LLC~~ Rubicon Global, LLC to provide a cloud-based software-as-a-service solution, training and implementation support, ongoing managed services, and fleet optimization services to optimize the

operation of the City's solid waste and recycling vehicles. The term of the agreement shall be one year with the option to extend for up to four additional 1-year periods.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By President Meléndez
November 15, 2022

To the Council:

The **PUBLIC SAFETY COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 412 Appropriating funds for the Smoke and Carbon Monoxide Detectors Installation program
- Int. No. 413 Amending the 2022-23 Budget relating to the 2022-23 Gun Involved Violence Elimination grant
- Int. No. 414 Authorizing intermunicipal agreements and amending the 2022-23 Budget for the 2023 STOP DWI and High Visibility Engagement Campaign programs
- Int. No. 415 Authorizing grant agreements with the New York State Division of Homeland Security and Emergency Services
- Int. No. 416 Authorizing agreements and amending the 2022-23 Budget relating to the Body-worn Camera Policy and Implementation program
- Int. No. 422 Authorizing an intermunicipal agreement and amending the 2022-23 Budget for Pathways to Peace Extended Day Programming in City schools

Respectfully submitted,

Miguel A. Meléndez Jr.

Mary Lupien (*voted against Int. No. 413, Int. No. 414 & Int. No. 415*)

Mitch Gruber

LaShay D. Harris

Willie J. Lightfoot (*absent from Int. Nos. 414, 415, 416 & Int. No. 422*)

Stanley Martin (*voted against Int. No. 413, Int. No. 414, Int. No. 415 & Int. No. 416*)

Michael A. Patterson

Jose Peo (*voted against Int. No. 422*)

Kimberly Smith (*voted against Int. No. 413 & Int. No. 414*)

PUBLIC SAFETY COMMITTEE

Received filed and published

TO THE COUNCIL

Ladies and Gentlemen:

Re: Ordinance No. 2022-348
 2022-23 Annual Action Plan,
 Consolidated Community
 Development Plan –

Smoke and Carbon Monoxide
Detectors Installation Program

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating \$53,695 of Community Development Block Grant (CDBG) funds from the Fire Department Small Equipment allocation of the 2022-23 Annual Action Plan, for the purchase of smoke and carbon monoxide detectors during FY2022-23. 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 ~~2020-23 year to date~~ 2021-22 RFD installed ~~859~~ 940-smoke detectors and ~~450~~ 497 carbon monoxide detectors in residential properties throughout the city.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-348
(Int. No. 412)

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 \$53,695 is hereby appropriated from the Fire Department Small Equipment allocation of the 2022-23 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. 2022-349
Re: Budget Amendment –
2022-23 Budget of the Police
Department

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending the 2022-23 Budget of the Police Department by \$151,900 for the 2022-23 Gun Involved Violence Elimination (GIVE) grant.

The GIVE grant was approved in July 2022 by Ordinance No. 2022-221. Funds for this grant were included in the 2022-23 Budget of the Police Department; however, RPD received more funding than anticipated. Unfortunately, amending the budget was overlooked at the time the GIVE grant was submitted to Council. These funds will be used for their original intended purpose.

The GIVE grant will build on the success of previous 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.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-349
(Int. No. 413)

Amending the 2022-23 Budget relating to the 2022-23 Gun Involved Violence Elimination grant

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

Section 1. Ordinance No. 2022-157, the 2022-23 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 amount of \$151,900 to reflect the receipt and appropriation of additional funds provided by New York State for the 2022-23 Gun Involved Violence Elimination program.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Patterson, Peo - 6.

Nays - Vice President Lupien, Councilmembers Martin, Smith - 3.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-350
Re: Grant Agreements – Monroe County

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to STOP DWI Program grants from Monroe County. This legislation will:

1. Authorize an agreement with Monroe County for the receipt and use of the 2023 STOP DWI Program grant in the amount of \$48,400 for the term of January 1, 2023 through December 31, 2023;
2. Authorize an agreement with Monroe County for the receipt and use of the 2023 High Visibility Engagement Campaign grant in the amount of \$9,000 for the term of October 1, 2022 through September 30, 2023;
3. Amend the Undistributed Expenses Budget by \$6,100 (for the STOP DWI Program grant);
4. Amend the 2022-23 Budget of the Police Department by \$26,600 to reflect a portion of these funds (\$19,600 for the 2023 STOP DWI Program grant and \$7,000 for the 2023 High Visibility Engagement Campaign grant).

The 2023 STOP DWI Program grant will be used for enhanced detection and enforcement of driving while intoxicated and related offenses for the 2023 calendar year. Supported activities include expenses for

STOP DWI overtime details and associated fringe costs, supplies, training, breathalyzer calibration, and underage alcohol enforcement. No matching funds are required. The City has received this grant for more than ten years.

The 2023 High Visibility Engagement Campaign grant will be used to pay overtime for police officers and, as necessary, for police experts to detect drug abuse in drivers during the following periods:

Festive Season	12/14/22 – 01/01/23	Memorial Day	05/26/23 – 05/30/23
Super Bowl	02/10/23 – 02/13/23	July 4 th	07/01/23 – 07/05/23
St Patrick’s Day	03/16/23 – 03/19/23	End of Summer	08/18/23 – 09/04/23

This grant does not allow fringe expenses, estimated at \$3,300. No matching funds are required. This is the tenth time the City has received this grant.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-208

Ordinance No. 2022-350
(Int. No. 414)

Authorizing intermunicipal agreements and amending the 2022-23 Budget for the 2023 STOP DWI and High Visibility Engagement Campaign programs

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

Section 1. Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe for the City’s receipt and use of \$48,400 in funding for the 2023 STOP DWI program. The term of the agreement shall be one year.

Section 2. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe for the City’s receipt and use of \$9,000 in funding for the 2023 High Visibility Engagement Campaign. The term of the agreement shall be one year.

Section 3. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of Undistributed Expenses by \$6,100 to reflect funds appropriated to the 2023 STOP DWI program in Section 1 herein, and to the Budget of the Police Department by \$26,600 comprised of \$19,600 from the 2023 STOP DWI program funds appropriated in Section 1 herein and of \$7,000 from the 2023 High Visibility Engagement Campaign program funds appropriated in Section 2 herein.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Patterson, Peo - 6.

Nays - Vice President Lupien, Councilmembers Martin, Smith - 3.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-351
Re: Grant Agreements –
New York State Division of
Homeland Security and
Emergency Services

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing agreements with the New York State Division of Homeland Security and Emergency Services for the receipt and use of four grant described below. No matching funds are required.

FY2020 Targeted Tactical Team Program Grant – October 1, 2022 - August 31, 2023

This \$75,000 grant will be used to enhance and maintain the capabilities of the Police Department's SWAT team. The grant budget includes funds for equipment and training. Night vision equipment, rescue saws, and camera systems will be purchased. Training for command and leadership as well as sniper, breacher, and munitions training will be included. This is the sixth year RPD has received this grant.

FY2020 Bomb Squad Initiative Grant – October 1, 2022 - August 31, 2023

This \$112,500 grant will be used to enhance and maintain the capabilities of the Police Department's Bomb Squad. The grant budget includes funds for equipment and training. Equipment to be purchased includes a new robot, gas mask filters, and decontamination kits. Funds will also be used for registration and travel expenses for the International Association of Bomb Technicians & Investigators (IABTI) conference and other training. This is the seventh year RPD has received this grant.

FY2020 Explosive Detection Canine Initiative Grant – October 1, 2022 - August 31, 2023

This \$15,000 grant will be used to enhance and maintain the capabilities of the Police Department's Canine Unit. The grant budget includes funds to purchase a working dog for the unit. This is the sixth year RPD has received this grant.

FY2022 State Law Enforcement Terrorism Prevention Program Grant – September 1, 2022 – August 31, 2025

This \$147,800 grant will be used to enhance and maintain the capabilities of the Police Department's Special Teams. The grant budget includes funds for equipment and training. Equipment to be purchased includes night vision systems, a breaching training door, and non-lethal training ammunition for the SWAT Team, drysuits for the SCUBA team, and a disruptor, bomb disposal kits, and backpacks for the Bomb Squad. Overtime funds in the amount of \$30,000, to be included in a future Operating Budget of the Police Department, will pay for salary and fringe for officers to participate in departmental training conducted by the SWAT Team. This is the ninth year RPD has received this grant.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-351
(Int. No. 415)

**Authorizing grant agreements with the New York State Division of Homeland Security and
Emergency Services**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services (State) for the receipt and use of the FY2020 Targeted Tactical Team Program grant funding to the Rochester Police Department in the amount of \$75,000, which funds are hereby appropriated for said purpose. The term of the agreement shall be from October 1, 2022 through August 31, 2023.

Section 2. Mayor is hereby authorized to enter into an agreement with State for the receipt and use of the FY2020 Bomb Squad Initiative grant funding to the Rochester Police Department in the amount of \$112,500, which funds are hereby appropriated for said purpose. The term of the agreement shall be from October 1, 2022 through August 31, 2023.

Section 3. The Mayor is hereby authorized to enter into an agreement with State for the receipt and use of the FY2020 Explosive Detection Canine Initiative grant funding to the Rochester Police Department in the amount of \$15,000, which funds are hereby appropriated for said purpose. The term of the agreement shall be from October 1, 2022 through August 31, 2023.

Section 4. The Mayor is hereby authorized to enter into an agreement with State for the receipt and use of the FY2022 State Law Enforcement Terrorism Prevention Program grant funding to the Rochester Police Department in the amount of \$147,800, which funds are hereby appropriated for said purpose. The term of the agreement shall be from September 1, 2022 through August 31, 2025.

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

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Patterson, Peo - 6.

Nays - Vice President Lupien, Councilmembers Martin, Smith - 3.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-352
Re: Agreement – US Department of
Justice, Bureau of Justice
Assistance, FY22 Body-worn
Camera Policy and
Implementation Program Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to a U.S. Department of Justice, Bureau of Justice Assistance (BJA) FY22 Body-worn Camera Policy and Implementation Program grant. This legislation will:

1. Authorize an agreement with BJA for the receipt and use of a FY22 Body-worn Camera Policy and Implementation Program grant in the amount of \$1,000,000 for the term of October 1, 2022 to September 30, 2025;

2. Establish \$441,600 as maximum compensation for an agreement with Rochester Institute of Technology (RIT) to provide two professors and student researchers to assist employees in the RPD's Office of Business Intelligence (OBI) with the project. This agreement will also include expenses for travel, training, and publication costs and will be paid for with the funds authorized in No. 1. The term of this agreement will be October 1, 2022 through September 30, 2025.
3. Amend the 2022-23 Budget of the Police Department by \$35,600 to reflect six months' salary for an Information Services Analyst I and a portion of the grant funds.
4. Amend the 2022-23 Undistributed Budget by \$18,900 to reflect six months' fringe benefits expenses for an Information Services Analyst I and a portion of the grant funds.

This grant will support research and analysis of RPD's body-worn camera (BWC) footage to create a machine learning pipeline that can aid RPD in both its routine compliance auditing as well as help RPD learn from the wealth of data it possesses. A machine learning pipeline is an automated workflow that takes data, applies machine learning algorithms, and produces output data that helps make informed decisions. Cataloguing the entirety of RPD's BWC library, the researchers will be able to analyze trends in the presence of different types of activities that are difficult to count in traditional crime or police statistics. Another benefit of cataloguing RPD's BWC library is the ability to publish an anonymized dataset describing RPD's BWC videos for public consumption.

In addition to aiding the creation of a machine learning pipeline, this grant award will help RPD and RIT build upon lessons learned under a prior funded research partnership. RPD, in partnership with RIT, recently completed a COPS office Community Policing Development Microgrant award in which the partners conducted an analysis of RPD Subject Resistance Reports (SRRs) used to document uses of force. The major weakness of this study was that the sole source of information was observational data from a single point of view: the officers' written reports. With the adoption of body-worn cameras, a logical extension of that project is to combine the analysis of written reports with programmatic analysis of body-worn camera footage, through automated audio transcription (and subsequent natural language processing) and computer vision analysis.

This three-year award period will allow the research partners to explore RPD's BWC dataset in depth, potentially addressing mandates relating to New York State's Executive Order 203: Criminal Justice Reform, and the joint Rochester/Monroe County Racial and Structural Equity commission. The research partners have tentatively identified practical avenues of inquiry, primarily oriented towards improving police performance via BWC footage and advancing constitutional policing practices.

The grant will fund salary and fringe for an Information Services Analyst in OBI at the cost of \$328,400, \$123,500 for computer server space and maintenance, laptop computers and hard drives, \$26,500 for travel and training costs, and \$80,000 in police overtime costs and fringe. Overtime will be used to pay for officers to review BWC footage to aid in codifying current practice and to act as an observational control group for process evaluation.

A justification statement for not issuing a Request for Proposal for Rochester Institute of Technology is attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-209

Ordinance No. 2022-352
(Int. No. 416)

Authorizing agreements and amending the 2022-23 Budget relating to the Body-worn Camera Policy and Implementation program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Justice, Bureau of Justice Assistance, for the receipt and use of \$1,000,000 in funding for the Body-worn Camera Policy and Implementation program (Program). The term of the agreement shall be from October 1, 2022 through September 30, 2025.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Rochester Institute of Technology in the maximum amount of \$441,600 to provide professor and student researchers to assist City employees with the Program. The term of the agreement shall be from October 1, 2022 through September 30, 2025. The cost of the agreement shall be funded by a portion of the grant appropriated in Section 1 herein.

Section 3. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended to increase the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$35,600 and to the Budget of Undistributed Expenses by the sum of \$18,900, from portions of the grant funds appropriated in Section 1 herein.

Section 4. This ordinance shall take effect immediately

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Patterson, Peo, Smith - 8.

Nays - Councilmember Martin - 1.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-353
Re: Inter-Municipal Agreement –
Rochester City School
Districts Utilization of
Pathways to Peace for Extended
Day Programming

Council Priority: Public Safety

Comprehensive Plan 2023 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to funds for Pathways to Peace from the Rochester City School District. This legislation will:

- 1) Authorize an inter-municipal agreement with the Rochester City School District for the receipt and use of \$57,500 for a term of one year.
- 2) Amend the 2022-23 Budget of the Office of the Mayor by \$53,400, and amend the 2022-23 Budget of Undistributed Expenses by \$4,100 for benefits expenses.

Under this agreement, the District will reimburse the City for Pathways to Peace (PTP) staff expenses. The City of Rochester Mayor's Office of Violence Prevention Programs will create a school-based Pathways to

Peace (PTP) team consisting of three part-day staff. PTP will operate within three schools in the District: Schools #8 Roberto Clemente School, School #19 Dr. Charles T. Lunsford School and School #28 Henry Hudson School during the 2022-2023 school year.

Services provided will include student mediation, developing and implementing safety plans for student re-entry following a period of absence due to violence, and response to school emergencies.

The Board of Education approved this agreement at their October 2022 meeting.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-353
(Int. No. 422)

Authorizing an intermunicipal agreement and amending the 2022-23 Budget for Pathways to Peace Extended Day Programming in City schools

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District (RCSD) that provides for the receipt and use of \$57,500 from RCSD to fund and provides City staff support to operate Pathways to Peace Extended Day Programming at schools designated by the RCSD (the Program). The term of the The agreement shall be one year.

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

Section 3. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Office of the Mayor by \$53,400 and to the Budget of Undistributed Expenses by \$4,100, which amounts are hereby appropriated from funds to be received from RCSD under the Program agreement authorized by Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Harris
November 15, 2022

To the Council:

The **RECREATION & HUMAN SERVICES COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 417 Appropriating American Rescue Plan Act funds, amending the 2022-23 Budget and Ordinance No. 2021-335, and authorizing agreements relating to workforce Development services

Int. No. 418 Appropriating American Rescue Plan Act funds and amending the 2022-23 Budget for expansion of workforce development services

- Int. No. 419 Appropriating American Rescue Plan Act funds for a multi-purpose mobile unit for the Department of Recreation and Human Services
- Int. No. 420 Authorizing agreements for the 2022 Justice Assistance Grant program
- Int. No. 421 Authorizing an agreement for photo booth services at R-Center locations

Respectfully submitted,
LaShay D. Harris
Willie J. Lightfoot (*absent*)
Stanley Martin
Mary Lupien
Miguel A. Meléndez, Jr
RECREATION & HUMAN SERVICES COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2022-354
Re: Amending Ordinance No. 2021-335
 – American Rescue Plan Act,
 Workforce Development Services

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation amending Ordinance No. 2021-335 related to an appropriation of American Rescue Plan Act funding for Workforce Development Services. This legislation will:

1. Amend Ordinance No. 2021-335 that appropriated \$14,500,000 in funds from the American Rescue Plan Act (ARPA) for adult workforce development services. The original ordinance, approved by City Council on October 13, 2021, specified that funds will be used for adult workforce development services and authorized an agreement with the Rochester Market Driven Community Corporation (RMDCC). The ordinance will be amended to include youth workforce development services and will instead authorize the City to enter into the agreements described below.
2. Amend the 2022-23 Budget of the Department of Recreation and Human Services (DRHS) by \$836,000. A portion (\$4,142,900) of the total ARPA appropriation is already included in the 2022-23 Budget of DRHS. This budget amendment will bring the total ARPA funding available in the 2022-23 Budget of DRHS to \$4,978,900 and will be used to fund the initial term of the agreements described below. The remaining balance of the appropriation will be anticipated and included in future budgets of DRHS, and will be utilized to fund the renewal term of the agreements described below.
3. Establish \$4,978,818.57 as total maximum compensation for the agreements described in the chart on the second page. Each agreement will have an initial term of one year (January 1 to December 31, 2023) with the option to renew for one additional two-year term (January 1, 2024 to December 31, 2025).



There will be an optional no cost, six -month term extension, ending on June 30, 2026, available in all of the agreements to ensure that the organizations can exhaust all of their awards.

This funding was included in the prior Administration’s Strategic Equity and Recovery Plan shared with City Council on September 29, 2021, and was shared by the current Administration in a Council work session on September 29, 2022.

Further information and project descriptions are included in the accompanying attachment. The organizations were selected through a request for proposals processes described in the nine vendor selection forms. Each consultant will be required to provide reporting to the City periodically to ensure that services are being rendered as described in each proposal.

Organization Name	Project Description	Initial Term & Maximum Compensation (January 1 to December 31, 2023)	Renewal Term & Maximum Compensation (January 1, 2024 to December 31, 2025)	TOTAL
Action for a Better Community, Inc. (Jerome Underwood, President and CEO, Rochester, NY)	Workforce development and retention training	\$329,787.00	\$670,213.00	\$1,000,000
Catholic Charities Family and Community Services (Lori VanAuken, Executive Director, Rochester, NY)	Young adult construction and high school equivalency training	\$865,024.44	\$1,534,975.56	\$2,400,000
Center for Employment Opportunities Inc. (Sam Schaeffer, CEO, New York, NY)	Transitional job training for returning citizens	\$500,000.00	\$1,000,000.00	\$1,500,000
Finger Lakes Performing Provider System, INC. (Carol Tegas, Executive Director, Rochester, NY)	Wrap around support for home health aide training	\$921,442.00	\$1,478,558.00	\$2,400,000
Foodlink, Inc. (Julia Tedesco, President and CEO, Rochester, NY)	Expanded training opportunities for graduates of the Foodlink Career Fellowship, development of an agricultural workforce training program, and short-term, skillsbased workshops	\$318,252.00	\$506,748.00	\$825,000
Pathstone Corporation (Alex Castro, President and CEO, Rochester, NY)	Job preparation and training as well as support for entrepreneurs	\$972,239.00	\$2,027,761.00	\$3,000,000

Rochester Commissary LLC (Barbara Glassman, Interim Director, Rochester, NY)	Professional development, training, support, and kitchen space for residents who want to open a restaurant	\$296,200.00	\$703,800.00	\$1,000,000
Taproot Collective, Inc. (Nathaniel Mich, Executive Director, Rochester, NY)	Agricultural training for young adults within City neighborhood gardens	\$106,689.00	\$268,311.00	\$375,000
Tech Talent South (Betsy Hauser, Founder and CEO, Charlotte, NC)	Amazon Web Services Cloud Practitioner training and tech networking events	\$669,185.13	\$1,330,814.87	\$2,000,000

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-210

Ordinance No. 2022-354
(Int. No. 417)

Appropriating American Rescue Plan Act funds, amending the 2022-23 Budget and Ordinance No. 2021-335, and authorizing agreements relating to workforce development services

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

Section 1. Ordinance No. 2021-335, appropriating American Rescue Plan Act Funds, amending the 2021-22 Budget and authorizing an agreement for adult workforce development services, as amended, is hereby further amended in Section 1 as follows:

Section 1. The Council hereby authorizes the receipt and use of \$14,500,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) and appropriates said amount for youth and adult workforce development services (Services).

Section 2. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Department of Recreation and Human Services by the amount of \$836,000 to reflect the receipt of a portion of the funds appropriated in Section 1 herein.

Section 3. The Mayor is hereby authorized to enter into professional service agreements with the following organizations to provide youth and adult workforce development services. The term of each agreement shall be one year with the option to extend for an additional two-year period. The maximum compensation for the initial term and for each year of the two-year optional term extension for each agreement shall be as follows:

Organization	Maximum Compensation (first year)	Maximum Compensation (for first year of renewal term, if exercised)	Maximum Compensation (for second year of renewal term, if exercised)	Maximum Compensation (total)
Action for a Better Community, Inc.	\$329,787	\$332,042	\$338,171	\$1,000,000
Catholic Charities Family and Community Services	\$865,024.44	\$772,850.00	\$762,125.56	\$2,400,000
Center for Employment Opportunities Inc.	\$500,000	\$500,000	\$500,000	\$1,500,000
Finger Lakes Performing Provider System, Inc.	\$921,442	\$752,654	\$725,904	\$2,400,000
Foodlink, Inc.	\$318,252	\$321,193	\$185,555	\$825,000
Pathstone Corporation	\$972,239	\$1,004,716	\$1,023,045	\$3,000,000
Rochester Commissary LLC	\$296,200	\$409,069	\$294,731	\$1,000,000
Taproot Collective, Inc.	\$106,689	\$127,764	\$140,547	\$375,000
Tech Talent South	\$669,185.13	\$665,407.43	\$665,407.43	\$2,000,000

Section 4. The agreements authorized herein shall be funded in the amount of \$4,978,900 from the 2022-23 Budget of the Department of Recreation and Human Services (DRHS) for the initial term, \$4,885,700 from the 2023-24 Budget of DRHS for the first optional term extension and and \$4,635,500 from the 2024-25 Budget of DRHS for the second optional term extension, contingent upon approval of the budgets for the future years. An additional optional six-month term extension may be exercised for any agreement in the event that a portion of the maximum compensation funding remains unspent at the expiration of an initial or optional extended term, provided that said six-month extension does not extend beyond June 30, 2026.

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

Section 6. This ordinance shall take effect immediately.

Added text is underlined

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 8.

Nays - None - 0.

Councilmember Gruber abstained due to a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2022-355

Re: Appropriation – American Rescue
Plan Act, Workforce Development
Services Expansion

Council Priority: Jobs and Economic
Development

Comprehensive Plan 2034: Fostering
Prosperity and Opportunity

Transmitted herewith for your approval is legislation relating to \$2,000,000 allocation of American Rescue Plan Act (ARPA) funds for the expansion of youth and adult workforce development services. This legislation will:

1. Appropriate \$1,800,000 of ARPA funds for the expansion of youth and adult workforce development services provided by the Department of Recreation and Human Services (DRHS).
2. Appropriate \$200,000 of ARPA funds for renovation, technology equipment, and furniture for to create a youth training classroom space at the Honorable Loretta C. Scott Center for Human Services. The classrooms will be utilized for the delivery of workforce development programming.
3. Amend the 2022-23 Budget of the DRHS by \$238,700 to reflect a portion of the \$1,800,000 appropriation authorized herein for workforce development services to be delivered during the remainder of this fiscal year. The remaining \$1,561,300 of the appropriation will be anticipated and included in future budgets of DRHS, contingent upon approval.

This project was included in the prior Administration's Strategic Equity and Recovery Plan shared with City Council on September 29, 2021, and was shared by the current Administration in a Council work session on September 29, 2022. This is an eligible use of ARPA funding under the Final Rule 2.10 Assistance to Unemployed or Underemployed Workers Expenditure Category.

This \$2,000,000 ARPA appropriation is in addition to the \$14,500,000 ARPA funding previously appropriated by Ordinance No. 2021-335 and amended in a concurrent ordinance for workforce development services. This supplementary funding will allow for the further expansion of both youth and adult workforce development services provided by DRHS including the creation of additional youth internships that focus on public service, entrepreneurship, personal growth and enrichment; financial literacy training and access to simple banking opportunities; adult workforce readiness workshops; and job fairs. Funds will be utilized for participant stipends and incentives, supplies, and marketing expenses related to these services. A portion of the funds will also be used to hire an outside consultant who will make recommendations on the City's role in the workforce development system and implementation of workforce development programming for the young adult population. The consultant will be chosen through an RFP process.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-355
(Int. No. 418)

Appropriating American Rescue Plan Act funds and amending the 2022-23 Budget for expansion of workforce development services

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

Section 1. The Council hereby appropriates the sum of \$1,800,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund the expansion of youth and adult workforce development services provided by the Department of Recreation and Human Services.

Section 2. The Council hereby appropriates the sum of \$200,000 in funds provided by the United States Treasury pursuant to ARPA to fund renovation, technology equipment, and furniture to create a youth training classroom space in the Honorable Loretta C. Scott Center for Human Services located at 55-57 St. Paul Street to provide workforce development programming.

Section 3. The Mayor is hereby authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund the projects authorized in Sections 1 and 2 herein. Any such agreements and documents shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Department of Recreation and Human Services by the amount of \$238,700 to reflect the receipt of a portion of the funds appropriated in Sections 1 and 2 herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen

Ordinance No. 2022-356
Re: Appropriation – American Rescue
Plan Act, Mobile Unit

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation appropriating the receipt and use of \$175,000 in American Rescue Plan Act (ARPA) funds for the purchase, build-out, and ancillary supplies for a multi-purpose mobile unit for the Department of Recreation and Human Services (DRHS).

The City of Rochester received \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). The DRHS mobile unit is an eligible use of ARPA funding under the Final Rule 6.1 Provision of Government Services Expenditure Category. This project was shared by the current Administration in a Council work session on September 29, 2022.

This mobile unit will be a multi-purpose vehicle used to promote and provide DRHS programming directly to City residents in their neighborhoods. Specifically, the mobile unit will be primarily used by the Crisis Intervention Services unit to provide a safe place away from the media, crowd, and weather for families and residents in crisis. Additionally, the unit will be used to provide workforce development services in City neighborhoods. This could include resume writing workshops, job search assistance, and job application

completion assistance. DRHS staff may also use the unit to promote other DRHS services such as youth employment, Animal Services, and/or community athletics.

The ARPA funds will be used to supplement the cost of this mobile unit from a \$225,000 grant received from the U.S. Health Resources and Services Administration previously approved by Council on September 20, 2022 via Ordinance No. 2022-291. The anticipated cost of the unit, including building the unit to fit DRHS programming needs is around \$300,000, or \$75,000 of the appropriation. The rest of the funds, \$100,000, will be used for any ancillary programmatic supplies, including laptops, a wireless printer, etc.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2022-356
(Int. No. 419)

Appropriating American Rescue Plan Act funds for a multi-purpose mobile unit for the Department of Recreation and Human Services

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

Section 1. The Council hereby appropriates the sum of \$175,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to fund the purchase, build-out, and ancillary programmatic supplies and contingency for a multi-purpose mobile unit for the Department of Recreation and Human Services (Project).

Section 2. The Mayor is hereby authorized to execute any grant agreement or to provide such other documentation as may be necessary to fund the Project authorized herein. Any such agreements and documents 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. 2022-357
Re: Grant Agreement – US Department
of Justice, 2022 Bureau of Justice
Assistance FY 22 Justice
Assistance Grant Program

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the 2022 Bureau of Justice Assistance FY 22 Justice Assistance Grant program. The legislation will:

1. Authorize an agreement with the United States Department of Justice for the receipt and use of the 2022 Bureau of Justice Assistance FY 22 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$162,097. The term of the grant is October 1, 2021 through September 30, 2025. This grant was anticipated and included in the 2022-23 Budget of the Department of Recreation and Human Services (DRHS).

2. Authorize \$16,149 as total maximum compensation for an agreement with Monroe County for implementation of the “Operation Nightwatch” program. The term of the agreement is October 1, 2021 through September 30, 2025. This is the first year of the four year grant and the cost of the agreement will be funded by the grant authorized herein. “Operation Nightwatch” is a program of the Monroe County Office of Probation that allows Probation Officers to engage people on probation in specialized supervision. Under the terms of the grant acceptance, this portion of the grant award must be allocated to Monroe County, who has chosen to allocate their funds to this program.

The remaining grant funds will be utilized for the salaries and fringe expenses for a full time Clinical Supervisor and Peer Navigator in the Crisis Intervention Services (CIS) unit. The Clinical Supervisor will provide supervision support to CIS staff and interns to ensure that clients are provided the best and most-up-to-date services. The Peer Navigator will work with youth who have experienced a homicide in their family to provide them with wrap-around supportive services, including support groups.

The City has received JAG funding for more than 16 years. The prior JAG program was last authorized by City Council on December 14, 2021 via Ordinance No. 2021-418.

Respectfully submitted
Malik D. Evans
Mayor

Attachment No. AV-211

Ordinance No. 2022-357
(Int. No. 420)

Authorizing agreements for the 2022 Justice Assistance Grant program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Justice for the receipt and use of funding from the 2022 Edward Byrne Memorial Justice Assistance Grant program in the amount of \$162,097. The term of the agreement shall be October 1, 2021 through September 30, 2025.

Section 2. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe in the maximum amount of \$16,149 to fund the Monroe County Office of Probation’s Operation Nightwatch program. Said amount shall be funded from the grant appropriated in Section 1 herein. The term of the agreement shall be October 1, 2021 through September 30, 2025.

Section 3. The agreements authorized herein 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. 2022-358
Re: Agreement – Betsy Spanagel dba HypeBooth by
Betsy Spanagel

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 establishing \$9,000 as maximum compensation for an agreement with Betsy Spanagel dba HypeBooth by Betsy Spanagel (Rochester, NY) for photo booth services at R-Center locations. The cost of this agreement will be funded from the 2022-23 Budget of the Department of Recreation and Human Services (DRHS) and the term of the agreement will be for the remainder of the fiscal year.

Under this agreement, Hype Booth will provide services related to the setup and breakdown of the photo booth and provide all of the required equipment. DRHS utilized Hype Booth for the RSummer Nights Teen event series at the Rochester Community Sports Complex and wishes to utilize the vendor for the remainder of this fiscal year for Recreation Bureau events.

This is the first authorization by City Council for this agreement. Authorization is required because the total value of DRHS professional services agreements with this vendor for this fiscal year will exceed \$10,000.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AV-212

Ordinance No. 2022-358
(Int. No. 421)

Authorizing an agreement for photo booth services at R-Center locations

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 in the maximum amount of \$9,000 with Betsy Spanagel, d/b/a Hypebooth by Betsy Spanagel, for photo booth services at R-Center locations. The cost of the agreement shall be funded from the 2022-23 Budget of the Department of Recreation and Human Services. The term of the agreement shall extend until June 30, 2023.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:10 pm.

HAZEL L. WASHINGTON
City Clerk