



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
TO WHOM IT MAY CONCERN

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **May 23, 2023** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **May 24, 2023** in accordance with the applicable provisions of law.

Ordinance No. 2023-142

Appropriating funds and authorizing amendatory agreements for the Erie Harbor Enhancements Phase II Project

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

Section 1. The sum of \$425,289 in anticipated reimbursements from the New York State Department of State (NYSDOS), through its Environmental Protection Fund Local Waterfront Revitalization Program, is hereby appropriated to fund a portion of the final design, construction administration and construction of the Erie Harbor Enhancements Phase II Project (Project).

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with Stantec Consulting Services, Inc. to provide final design and construction administration services for the Project. The amendatory agreement shall amend the existing agreement that was authorized by Ordinance No. 2017-136 and amended by Ordinance No. 2019-89, Ordinance No. 2022-51 and Ordinance No. 2022-215 to provide such final design and construction administration services and to increase the maximum compensation by \$30,000 to a new total of \$745,000. The amendatory compensation shall be funded in the amounts of \$15,000 from the NYSDOS funds appropriated in Section 1 herein and \$15,000 from 2022-23 Cash Capital. The term of the amendatory agreement shall continue to three months after the completion of the two-year guarantee inspection of the Project.

Section 3. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Ravi Engineering and Land Surveying, P.C., Inc. to provide additional resident project representation services for the Project. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2022-51 to increase the maximum compensation by \$60,000 to a new total of \$560,000. The amendatory compensation shall be funded in the amount \$60,000 from 2020-21 Cash Capital.

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


Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



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Ordinance No. 2023-143

Amending an ordinance and authorizing an agreement relating to the Martin Luther King Jr. Memorial Playground Renovation

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

Section 1. Section 1 of Ordinance No. 2021-215, is hereby amended to fund design services for the Martin Luther King Jr. Memorial Playground Renovation (the Project), as follows:

Section 1. The sum of \$1,050,000 is hereby appropriated from the DRYS Play Apparatus allocation of the 2020-21 Annual Action Plan to fund infrastructure and playground improvements at various locations including but not limited to the Troup Street Playground, the Edgerton Playground and the Maplewood Playground and for design of the Martin Luther King Jr. Memorial Playground Renovation.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with SWBR Architecture, Engineering & Landscape Architecture, D.P.C. to provide design services for the Project. The maximum compensation for the agreement shall be \$280,000. Of that amount, \$225,000 shall be funded from a portion of the \$1,050,000 DRYS Infrastructure – Play Apparatus project allocation of the 2020-21 Annual Action Plan appropriated to the Project in Section 1 herein. The remainder, \$55,000, shall be funded from 2022-23 Cash Capital. The term of the agreement shall

extend to three months after completion of the two-year guarantee inspection of the Project.

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

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest *Ayzel Washington*
City Clerk



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Ordinance No. 2023-144

Amending ordinances, appropriating unspent playground funding and amending an agreement for the Playground Resurfacing Project

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

Section 1. Section 1 of Ordinance No. 2021-215, as amended by Ordinance No. 2023-143, is hereby amended to fund the Playground Resurfacing Project to replace with rubberized surfacing material and surrounding concrete curbs the existing surfaces of the playgrounds at the Carter Street and Gantt R-Centers and the JR Wilson and Grand Avenue Playgrounds (the Project), as follows:

Section 1. The sum of \$1,050,000 is hereby appropriated from the DRYS Play Apparatus allocation of the 2020-21 Annual Action Plan to fund infrastructure and playground improvements at various locations including but not limited to the Troup Street Playground, the Edgerton Playground and the Maplewood Playground, ~~and~~ for design of the Martin Luther King Jr. Memorial Playground Renovation, and for the rubberized resurfacing and concrete curbing of playgrounds at the Carter Street and Gantt R-Centers and the JR Wilson and Grand Avenue Playgrounds.

Section 2. Section 1 of Ordinance No. 2022-107, Authorizing an appropriation and agreement for Bronson Avenue Playground improvements, is hereby amended to fund the Project, as follows:

Section 1. The Council hereby appropriates \$1,000,400 in Community Development Block Grant (CDBG) funds from the Project No. 17 allocation for DRHS– Play Apparatus in the 2021-22 Annual Action Plan to fund improvements to the Bronson Avenue Playground and the rubberized resurfacing and concrete curbing of playgrounds at the Carter Street and Gantt R-Centers and the JR Wilson and Grand Avenue Playgrounds (the Project).

Section 3. The Council hereby appropriates to the Project \$6,932.19 left unspent from the following funding sources previously appropriated by Ordinance No. 2019-91 to improvements to the 4th Street and Peck Street Park playground, the Tacoma Park playground and Don Samuel Torres Park: \$300,000 from the DRYS Infrastructure – Play Apparatus project allocation of the 2017-18 Annual Action Plan and \$616,588 from the DRYS Infrastructure – Play Apparatus project allocation of the of the 2018-19 Annual Action Plan.

Section 4. The Council hereby appropriates to the Project \$7,545 left unspent from the following funding source previously appropriated to improvements at Don Samuel Torres Park by Ordinance No. 2020-109 and at the Merriman Playground by Section 2 of Ordinance No. 2021-151: \$300,000 from the DRYS Infrastructure – Play Apparatus project allocation of the 2019-20 Annual Action Plan.

Section 5. The Council hereby appropriates to the Project \$9,854.60 left unspent from the following funding source previously appropriated by Section 1 of Ordinance No. 2021-151 to improvements at Don Samuel Torres Park, Merriman Playground, Troup Street Playground and Edgerton Playground: \$470,461 from the DRYS Infrastructure – Play Apparatus project allocation of the 2019-20 Annual Action Plan.

Section 6. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Ravi Engineering and Land Surveying, P.C., Inc. to provide resident project representation services (RPR) for the Project. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2022-107 to add RPR services for the Project to the scope of work and to increase the maximum compensation by \$85,000 to a new total of \$160,000. The funding of the amendatory compensation shall include \$25,000 from a portion of the \$1,000,400 DRYS Infrastructure – Play Apparatus project allocation of the 2021-22 Annual Action Plan appropriated to the Project in Section 2 herein. The remainder of the amendatory compensation shall be funded in the amount \$60,000 from 2022-23 Cash Capital.

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

Section 8. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest Hazel Washington
City Clerk



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Ordinance No. 2023-145

Authorizing an agreement relating to the Humboldt Recreation Center Water Park Improvements

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 Arcadis of New York, Inc. to provide Resident Project Representative services for the Humboldt Recreation Center Water Park Improvements project (the Project). The maximum compensation in the amount of \$80,000 shall be funded from American Rescue Plan Act of 2021 funds appropriated to the Project in Ordinance No. 2022-312. The term of the agreement shall continue to September 30, 2024.

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, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0

Attest *Hazel Washington*
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Ordinance No. 2023-146

Appropriating and reallocating funds for the Dewey Avenue and Emerson Street Improvement Project

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

Section 1. The sum of \$3,825 in anticipated reimbursements from the New York State Marchiselli Aid Program is hereby appropriated to fund a portion of the right-of-way incidental services for the Dewey Avenue and Emerson Street Improvement Project.

Section 2. Section 2 of Ordinance No. 2023-70, Authorizing agreements for Dewey Avenue and Emerson Street Improvement Project, is hereby amended as follows:

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation to participate in and administer a portion of the right-of-way incidental services for the Project. The maximum compensation for the agreement shall be \$6,000, which shall be funded in the amounts of \$2,175 from 2022-23 Cash Capital and \$3,825 appropriated to the Project in Section 1 of Ordinance No. 2023-146 The term of the agreement shall extend to 6 months after final acceptance of the Project.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

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Ordinance No. 2023-147

Appropriating and reallocating funds for the Bull's Head Revitalization Project

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

Section 1. The sum of \$4,590 in anticipated reimbursements from the New York State Marchiselli Aid Program is hereby appropriated to fund a portion of the right-of-way incidental services for the Bull's Head Revitalization Project (Project).

Section 2. Section 2 of Ordinance No. 2023-69, Authorizing agreements for a Bull's Head Revitalization Project, is hereby amended as follows:

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation to participate in and administer a portion of the right-of-way incidental services for the Project. The maximum compensation for the agreement shall be \$7,000, which shall be funded in the amounts of ~~\$6,100~~ \$1,510 from 2020-21 Cash Capital ~~and~~ \$900 from 2021-22 Cash Capital and \$4,590 in anticipated Marchielli Aid reimbursements appropriated to the Project in Section 1 of Ordinance No. 2023-147. The term of the agreement shall extend to 6 months after final acceptance of the Project.

Section 3. This ordinance shall take effect immediately.

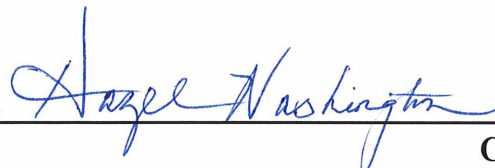
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Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nay - None - 0.

Attest

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Ordinance No. 2023-148

Authorizing grant agreement for the 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 a grant agreement with the United States Environmental Protection Agency (USEPA) for the receipt and use of \$500,000 in anticipated reimbursements from the USEPA's Brownfields Job Training Program, which amount is hereby appropriated to implement a Brownfields Environmental Skills Training program. The term of the agreement shall be five years.

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, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest *Hazel Washington*
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Ordinance No. 2023-149

Authorizing an amendatory agreement for drinking water quality laboratory services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Eurofins Eaton Analytical, LLC for laboratory services to analyze drinking water quality. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2021-146 to increase the maximum annual compensation by \$30,000 to a new annual maximum of \$60,000. The amendatory compensation for the current year shall be funded from the 2022-23 Budget of the Department of Environmental Services (DES), and the funding for any optional extended term shall be funded from future years' Budgets of DES, contingent upon approval.

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

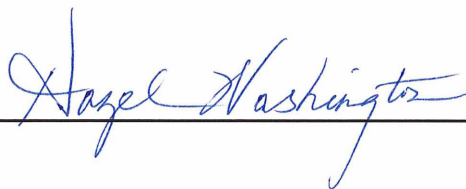
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

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Ordinance No. 2023-150

Authorizing the conveyance of an easement in Genesee Valley Park and the receipt of park funding and a conservation easement in return

WHEREAS, in a concurrent resolution, the Council of the City of Rochester concurs in the Mayor's request that the New York State Senate and Assembly enact home rule legislation that authorizes the City to convey to the Rochester Pure Waters District (District) a permanent easement within which to install and maintain a sanitary sewer main that will run through Genesee Valley Park;

WHEREAS, the home rule legislation endorsed by this Council requires that the City, prior to conveying the Sewer Easement, dedicate an amount of funds and/or parkland that is equal to or greater than the fair market value of the Sewer Easement for the acquisition of new parklands and/or capital improvements to existing park and recreational facilities;

WHEREAS, in a report dated May 4, 2023, Midland Appraisal Associates, Inc. appraised the Sewer Easement as having a fair market value of \$25,000;

WHEREAS, the Wilson Boulevard Trunk System sewer facilities that serve the University of Rochester's academic and medical center campuses bordering the Park as well as numerous businesses and residences located on the east side of the Genesee River, are presently operating at close to full capacity and do not have sufficient capacity to accommodate additional demand;

WHEREAS, the University has offered to contribute to the Sewer Easement transaction because the sewer main to be constructed and operated within the Sewer Easement will divert a substantial portion of the Wilson Boulevard Trunk System sewage across the river to a trunk system on the west side, thereby providing additional sanitary sewage capacity for the east-side system that is necessary to accommodate the additional demand that will be generated by the University's proposed Strong Memorial Hospital Expansion Project; and

WHEREAS, this ordinance shall not go into effect unless and until the State Legislature enacts the above described home rule legislation.

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

Section 1. The Council hereby approves the conveyance of a permanent, nonexclusive easement within Genesee Valley Park to the Rochester Pure Waters District (District) to enable the District to construct, operate, maintain, repair and replace a sanitary sewer main (Sewer Easement). The Sewer Easement may also allow the District to install, operate and maintain a fiber optic conduit next to the sewer main. The District shall restore the parkland surface upon the completion of construction, repairs, or other work within the Sewer Easement. The Sewer Easement to be conveyed by the City pursuant to this ordinance, which constitutes an alienation of parkland, is described in Exhibit "A" which is attached hereto. The conveyance of the Sewer Easement shall not proceed until the City receives and dedicates \$100,000 to park purposes and the recording in the County Clerk's Office of a conservation easement to adjacent land, as follows.

Section 2. The sum of \$100,000 in anticipated compensation from the University of Rochester in consideration of the value of the Sewer Easement is hereby appropriated and dedicated for the acquisition of new parklands and/or for capital improvements to existing park and recreational facilities.

Section 3. The Mayor is hereby authorized to execute, and to accept as part of the consideration for the value of the Sewer Easement, a conservation easement from the University of Rochester that restricts the use and alteration of approximately 3.962 acres of wooded areas and other natural habitat located on University-owned land in an 80-foot wide strip adjacent to Genesee Valley Park (Conservation Easement).

The Conservation Easement shall encompass the area described in Exhibit "B," which is attached hereto.

Section 4. The Mayor is hereby authorized to enter into an agreement with the District, the University and/or any other party that the Mayor deems necessary or appropriate to implement the transactions authorized herein.

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

Section 6. This ordinance shall take effect upon the State Legislature's enactment of legislation entitled "An Act in relation to authorizing the city of Rochester to convey by appropriate instruments to the Rochester Pure Waters District, an easement in Genesee Valley Park, for installation and maintenance of sanitary sewer facilities," being Senate Bill No. S. 6610-A and Assembly Bill No. A. 6724.

Exhibit A **Description of Sewer Easement**

Map 1, Parcel 1.

All that tract or parcel of land being in the City of Rochester, County of Monroe, State of New York, as shown on the accompanying map and described as follows: Commencing at an angle point in the southerly property line of the City of Rochester (reputed owner), Tax Account No. 148.06-1-1.001 on the north and property of the City of Rochester (reputed owner), Tax Account No. 135.15-1-1 on the south; thence S 83° 50' 06" W along said division line a distance of 122.53 feet to the true point of beginning, said point having coordinates of N 1,138,746.57 and E 1,401,724.37; thence, continuing south westerly along the said division line S 83° 50' 06" W, 44.77 feet to a point, said point having coordinates of N 1,138,741.76 and E 1,401,679.86; thence, through land owned by the City of Rochester (reputed owner), Tax Account No. 148.06-1-1.001, N 32° 51' 14" W, 187± feet to a point on the approximate mean high water of the Genesee River: thence easterly along the approximate high water of the Genesee River 43± feet to a point; thence, through lands owned by the City of Rochester (reputed owner), Tax Account No. 148.06-1-1.001, S 32° 51' 14" E 193± feet to the point of beginning, being 7,572± square feet or 0.174± acres.

Map 2, Parcel 1.

All that tract or parcel of land being in the City of Rochester, County of Monroe, State of New York, as shown on the accompanying map and described as follows: Commencing at an angle point in the southerly property line of the City of Rochester (reputed owner), Tax Account No. 148.06-1-1.001 on the north and property of the City of Rochester (reputed owner), Tax Account No. 135.15-1-1 on the south; thence S 83° 50' 06" W along said division line a distance of

122.53 feet to the true point of beginning, said point having coordinates of N 1,138,746.57 and E 1,401,724.37; thence, through land owned by the City of Rochester (reputed owner), Tax Account No. 135.15-1-1, S 32° 51' 14" E, 280.84 feet to a point at the division line of lands owned by the University of Rochester (reputed owner), Tax Account No. 135.67-1-2.001 on the south and lands owned by the City of Rochester (reputed owner), Tax Account No. 135.15-1-1 on the north, said point having coordinates of N 1,138,510.64 and E 1,401,876.73; thence south westerly along said division line on a curve to the right with a radius of 2,435.31 feet a distance of 43.72 feet to a point, said point having coordinates of N 1,138,474.12 and E 1,401,852.70; thence, through lands owned by the City of Rochester (reputed owner), Tax Account No. 135.15-1-1, N 32° 51' 14" W, 318.60 feet to a point at the division line of lands owned by the City of Rochester (reputed owner), Tax Account No. 148.06-1-1.001 on the north and property of the City of Rochester (reputed owner), Tax Account No. 135.15-1-1 on the south, said point having coordinates of N 1,138,741.76 and E 1,401,679.86; thence N 83° 50' 06" E along said division line a distance of 44.77 feet to the point of beginning, being 11,992± square feet or 0.275± acres.

Map 3, Parcel 1.

All that tract or parcel of land being in the City of Rochester, County of Monroe, State of New York, as shown on the accompanying map and described as follows: Commencing on the southerly boundary of Elmwood Avenue and the property line of the City of Rochester (reputed owner), Tax Account No. 135.58-1-1 on the east and property of the City of Rochester (reputed owner), Tax Account No. 135.51-1-8 on the west; thence, the following courses and distances along said division line S 28° 49' 55" W 289.60 feet to a point, S 26° 36' 13" W 163.97 feet to a point, S 29° 22' 52" W 57.60 feet to the true point of beginning, said point having coordinates of N 1,139,566.23 and E 1,401,089.95; thence, the following courses and distances through land owned by the City of Rochester (reputed owner), Tax Account No. 135.58-1-1, S 58° 00' 55" E, 197.66 feet to a point, said point having coordinates of N 1,139,461.53 and E 1,401,257.60, S 33° 08' 00" E, 290± feet to a point on the approximate mean high water of the Genesee River: thence southwesterly along the approximate high water of the Genesee River 40 feet ± to a point; thence, the following courses and distances through land owned by the City of Rochester (reputed owner), Tax Account No. 135.58-1-1, N 33° 08' 00" W, 278± feet to a point, said point having coordinates of N 1,139,432.27 and E 1,401,228.93, N 58° 00' 55" W, 188.14 feet to a point at the division line of lands owned by the City of Rochester (reputed owner), Tax Account No. 135.58-1-1 on the east and lands owned by the City of Rochester (reputed owner), Tax Account No. 135.51-1-8 on the west, said point having coordinates of N 1,139,531.93 and E 1,401,069.35; thence, the following courses and distances along said division line, N 31° 12' 15" E, 35.19 feet, N 29° 22' 52" E, 4.82 feet to the point of beginning, being 19,075± square feet or 0.438± acres.

Map 4, Parcel 1.

All that tract or parcel of land being in the City of Rochester, County of Monroe, State of New York, as shown on the accompanying map and described as follows: Commencing on the southerly boundary of Elmwood Avenue and the property line of the City of Rochester (reputed owner), Tax Account No. 135.58-1-1 on the east and property of the City of Rochester (reputed owner), Tax Account No. 135.51-1-8 on the west; thence, the following courses and distances along said division line S 28° 49' 55" W 289.60 feet to a point, S 26° 36' 13" W 163.97 feet to a point, S 29° 22' 52" W 57.60 feet to the true point of beginning, said point having coordinates of N 1,139,566.23 and E 1,401,089.95; thence, the following courses and distances along said division line, S 29° 22' 52" W, 4.82 feet, S 31° 12' 15" W, 35.19 feet to a point, said point having coordinates of N 1,139,531.93 and E 1,401,069.35; thence, through land owned by the City of Rochester (reputed owner), Tax Account No. 135.51-1-8, N 58° 00' 55" W, 40.84 feet to a point at the division line of lands owned by the City of Rochester (reputed owner), Tax Account No. 135.51-1-8 on the east and lands owned by the City of Rochester (reputed owner), Tax Account No. 135.58-1-2 on the west, said point having coordinates of N 1,139,553.56 and E 1,401,034.71; thence, the following courses and distances along said division line, N 32° 46' 56" E, 33.69 feet to a point, N 30° 57' 33" E, 6.32 feet to a point; thence, through land owned by the City of Rochester (reputed owner), Tax Account No. 135.51-1-8, S 58° 00' 55" E, 39.79 feet to the point of beginning, being 1,612± square feet or 0.037± acres.

Exhibit B

Legal Description of Conservation Easement Property

The Conservation Easement Property consists of the parcels CE-1 and CE-2 as follows:

CE-1

PROPOSED 80' WIDE CONSERVATION EASEMENT

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN NEW YORK STATE, MONROE COUNTY, CITY OF ROCHESTER, CONTAINING 0.313+/- ACRES OF LAND MORE OR LESS AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY STREET LINE OF ELMWOOD AVENUE WITH ITS INTERSECTION WITH THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD AS SHOWN ON THE MOORE ROAD CONVEYANCES INSTRUMENT SURVEY MAP PREPARED BY THE CITY OF ROCHESTER, PROJECT NUMBER 90-028, DATED 1991 APRIL 19; THENCE,

1. S 61°28'48 E ALONG THE SOUTHERLY STREET LINE OF ELMWOOD AVENUE A DISTANCE OF 80.00 FEET TO A POINT; THENCE,
2. S 28°26'50" W A DISTANCE OF 135.89 FEET TO A POINT OF CURVATURE; THENCE,
3. SOUTHEASTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 508.23 FEET, A CENTRAL ANGLE OF 4°17'39" AND AN ARC LENGTH OF 38.09 FEET TO A POINT; THENCE,
4. N 61°28'48" W A DISTANCE OF 43.48 FEET TO A POINT OF CURVATURE; THENCE,
5. NORTHWESTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 38.00 FEET, A CENTRAL ANGLE OF 89°55'38" AND AN ARC LENGTH OF 59.64 FEET TO A POINT ON THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD; THENCE,
6. N 28°26'50" E ALONG THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD A DISTANCE OF 135.99' TO THE POINT OF BEGINNING ON THE SOUTHERLY STREET LINE OF ELMWOOD AVENUE.

CE-2

PROPOSED 80' WIDE CONSERVATION EASEMENT

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN NEW YORK STATE, MONROE COUNTY, CITY OF ROCHESTER, CONTAINING 3.649+/- ACRES OF LAND MORE OR LESS AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHERLY STREET LINE OF ELMWOOD AVENUE WITH ITS INTERSECTION WITH THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD AS SHOWN ON THE MOORE ROAD CONVEYANCES INSTRUMENT SURVEY MAP PREPARED BY THE CITY OF ROCHESTER PROJECT NUMBER 90-028, DATED 1991 APRIL 19; THENCE,

- A. S 28°26'50" W ALONG THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD A DISTANCE OF 135.99 FEET TO A POINT OF CURVATURE; THENCE,

B. SOUTHERLY ON THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD ON A CURVE TO THE LEFT HAVING A RADIUS OF 588.23 FEET, A CENTRAL ANGLE OF $7^{\circ}48'45''$ AND AN ARC LENGTH OF 80.21 FEET TO THE POINT OF BEGINNING; THENCE,

1. S $61^{\circ}28'48''$ E A DISTANCE OF 80.89' TO A POINT OF CURVATURE; THENCE,

COURSES 2 THROUGH 10 ARE 80.00 FEET FROM AND PARALLEL WITH THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD.

2. SOUTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 508.23 FEET, A CENTRAL ANGLE OF $8^{\circ}17'03''$ AND AN ARC LENGTH OF 73.48 FEET TO PONT OF REVERSE CURVATURE; THENCE,

3. SOUTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 790.77 FEET, A CENTRAL ANGLE OF $37^{\circ}08'00''$ AND AN ARC LENGTH OF 512.50 FEET TO PONT OF REVERSE CURVATURE; THENCE,

4. SOUTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 77.03 FEET, A CENTRAL ANGLE OF $36^{\circ}31'28''$ AND AN ARC LENGTH OF 49.11 FEET TO PONT OF REVERSE CURVATURE; THENCE,

5. SOUTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 666.39 FEET, A CENTRAL ANGLE OF $17^{\circ}42'02''$ AND AN ARC LENGTH OF 205.87 FEET TO PONT OF COMPOUND CURVATURE; THENCE,

6. SOUTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 2,515.35 FEET, A CENTRAL ANGLE OF $10^{\circ}08'44''$ AND AN ARC LENGTH OF 445.40 FEET TO PONT OF REVERSE CURVATURE; THENCE,

7. SOUTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 692.38 FEET, A CENTRAL ANGLE OF $15^{\circ}35'39''$ AND AN ARC LENGTH OF 164.28 FEET TO PONT OF REVERSE CURVATURE; THENCE,

8. SOUTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 695.86 FEET, A CENTRAL ANGLE OF $24^{\circ}31'16''$ AND AN ARC LENGTH OF 297.81 FEET TO PONT OF TANGENT; THENCE,

9. S $50^{\circ}28'53''$ W A DISTANCE OF 102.92 FEET TO A POINT OF CURVATURE; THENCE,

10. SOUTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 442.27 FEET, A CENTRAL ANGLE OF $19^{\circ}26'32''$ AND AN ARC LENGTH OF 150.08 FEET TO PONT; THENCE,
11. N $55^{\circ}42'48''$ W A DISTANCE OF 51.52 FEET TO A POINT; THENCE,
12. N $34^{\circ}17'12''$ E A DISTANCE OF 30.00 FEET TO A POINT; THENCE,
13. N $55^{\circ}42'48''$ W A DISTANCE OF 29.17 FEET TO A POINT OF CURVATURE ON THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD; THENCE,

THE REMAINING COURSES ARE ALONG THE EAST LINE OF THE PRIVATE DRIVE KNOWN AS MOORE ROAD.

14. NORTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 522.27 FEET, A CENTRAL ANGLE OF $15^{\circ}39'08''$ AND AN ARC LENGTH OF 142.67 FEET TO PONT OF TANGENT; THENCE,
15. N $50^{\circ}28'53''$ E A DISTANCE OF 102.92 FEET TO A POINT OF CURVATURE; THENCE,
16. NORTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 615.86 FEET, A CENTRAL ANGLE OF $24^{\circ}31'16''$ AND AN ARC LENGTH OF 263.57 FEET TO PONT OF REVERSE CURVATURE; THENCE,
17. NORTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 772.38 FEET, A CENTRAL ANGLE OF $13^{\circ}35'39''$ AND AN ARC LENGTH OF 183.26 FEET TO PONT OF REVERSE CURVATURE; THENCE,
18. NORTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 2,435.35 FEET, A CENTRAL ANGLE OF $10^{\circ}08'44''$ AND AN ARC LENGTH OF 431.31 FEET TO PONT OF COMPOUND CURVATURE; THENCE,
19. NORTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 586.39 FEET, A CENTRAL ANGLE OF $17^{\circ}42'02''$ AND AN ARC LENGTH OF 181.15 FEET TO PONT OF REVERSE CURVATURE; THENCE,
20. NORTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 157.03 FEET, A CENTRAL ANGLE OF $36^{\circ}31'28''$ AND AN ARC LENGTH OF 100.10 FEET TO PONT OF REVERSE CURVATURE; THENCE,

21. NORTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 710.77 FEET, A CENTRAL ANGLE OF 37°08'00" AND AN ARC LENGTH OF 460.65 FEET TO POINT OF REVERSE CURVATURE; THENCE,

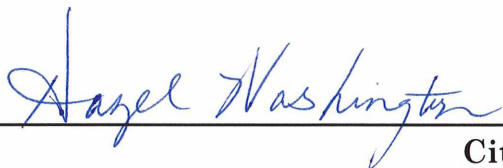
22. NORTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 588.23 FEET, A CENTRAL ANGLE OF 9°32'07" AND AN ARC LENGTH OF 97.89 FEET TO THE POINT OF BEGINNING.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
TO WHOM IT MAY CONCERN

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **May 23, 2023** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **May 24, 2023** in accordance with the applicable provisions of law.

Ordinance No. 2023-151

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 unbuildable parcel of vacant land to the owner of an adjoining parcel for \$1:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
623 Portland Av	106.26-2-14	30 x 100	3,157	Adrian G. & Jennifer C. Selever

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.

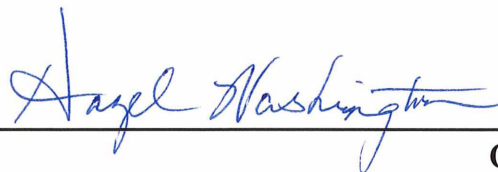
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

A handwritten signature in blue ink, reading "Hazel Washington", written over a horizontal line.

City Clerk



City of Rochester

City Clerk's Office

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Rochester, N.Y., _____
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Ordinance No. 2023-152

Authorizing a use and operation agreement for City-owned riverfront facilities

WHEREAS, the City has received a proposal to enter into an agreement with Rochester Marinas Inc. for the use and operation of City-owned riverfront land and facilities, including boat slips, docks, boat storage, boater services and other improvements located along the west bank of the Genesee River, and comprised of 105 Petten Street, 110 Petten Street and 490 River Street, for a term of five years with an optional additional renewal term of five years;

WHEREAS, a recent independent appraisal values such use and operation at \$32,500 per year; and

WHEREAS, the Council hereby finds that the terms of the proposed agreement and payment are satisfactory and the proposed use and operation is in the public interest, as the public benefit to be derived from the agreement is the continued operation and maintenance of these important public waterfront facilities.

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 an agreement with Rochester Marinas Inc. (the Operator) for the use and operation of the waterfront

facilities and other improvements on three City-owned parcels along the west bank of the Genesee River comprised of 105 Petten Street, 110 Petten Street and 490 River Street (Property). The Operator shall perform all routine maintenance of the Property's boating facilities and other improvements, shall pay for all utilities required for the operation and maintenance of the facilities, and shall provide public access across the Property to the public river walkway/promenade throughout the year, weather permitting. The term of the agreement shall be five years with the option to extend the term an additional five years upon the consent of both parties. For the initial term, the Operator shall pay the City an annual charge of \$32,500 for the first year, which shall be increased by 1% for each of the subsequent four years. The annual charge for the first year of the optional extended term shall be determined by a subsequent independent appraisal, which amount shall be increased by 1% for each of the subsequent four years of the optional term.

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

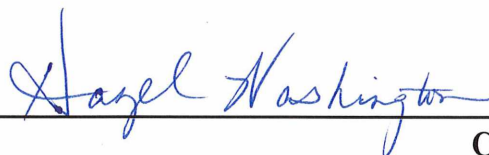
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerk's Office

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Ordinance No. 2023-153

Appropriating funds and authorizing agreements for the Small Mixed Use and Commercial Renovation Program

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

Section 1. The sum of \$2,500,000 is hereby appropriated from the Development Revolving Loan Fund to implement the Small Mixed Use and Commercial Renovation Program to provide low-interest loans to eligible building owners to make improvements to commercial buildings or to the commercial and residential portions of small mixed-use buildings (the Program).

Section 2. The Mayor is hereby authorized to enter into Program agreements with eligible building owners. The agreements 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, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest *Hazel Washington*
City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
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I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **May 23, 2023** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **May 24, 2023** in accordance with the applicable provisions of law.

Ordinance No. 2023-154

Authorizing the amendment of the 2021-22 Annual Action Plan, the submittal of the amended plan to HUD and entering into agreements relating to Lyell Avenue Neighborhood Planning

WHEREAS, in Ordinance No. 2021-185, the City approved and adopted the 2021-22 Annual Action Plan (Action Plan), which included the allocation of \$40,000 in Community Development Block Grant (CDBG) program funds provided by the U.S. Department of Housing and Urban Development (HUD) to project number 12 entitled Neighborhood Planning – Lyell Avenue to help facilitate the development of strategic neighborhood plans that would complement current assets and help guide future investments for neighborhood revitalization and enhancement (the Project);

WHEREAS, the Community Design Center of Rochester, Inc. subsequently developed a Project plan with significant community input (Lyell Plan) using funds from a philanthropic source and without using Project funds allocated in the Action Plan;

WHEREAS, Lyell Avenue neighbors have proposed to implement some of the recommendations in the Lyell Plan, including intersection changes and street beautification measures, and the Administration proposes to use the Action Plan's \$40,000 Project allocation to implement those actions;

WHEREAS, the Administration's proposal requires an amendment to the 2021-22 Action Plan to reallocate the funding, from the planning of, to the actual implementation of the Lyell Plan;

WHEREAS, the Administration has determined that the proposed amendment would not constitute a substantial amendment to the "purpose, scope, location or beneficiaries" of the original Project as defined by HUD's regulations governing Annual Action Plans and by the City's current Consolidated Community Development Citizen Participation Plan; and

WHEREAS, nevertheless, the proposed Lyell Plan Amendment has been publicized and reviewed in advance of this ordinance by presenting this ordinance in draft to the members of Council on May 2, 2023 and posting it on the Council's proceedings page <https://www.cityofrochester.gov/councilproceedings/> by May 3, 2023.

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

Section 1. The Council hereby approves and adopts an amendment to project 12 of the 2021-22 Annual Action Plan to change the allocation of \$40,000 in CDBG funds therein from planning to actual implementation of the Community Design Center of Rochester, Inc. plan for the Lyell Avenue neighborhood corridor, including but not limited to intersections changes and streetscape improvements (Project Amendment).

Section 2. The Mayor is hereby authorized to submit the Project Amendment to HUD for approval. The Mayor is hereby further authorized to provide any such information that may be required by HUD and to execute any grant agreement, project sponsor agreement, or any other documentation as may be necessary to fund and carry out the activities provided for in the Project Amendment in accordance with any applicable community development laws and regulations.

Section 3. The agreements and documents authorized herein shall contain such additional terms and conditions as the Mayor deems appropriate.

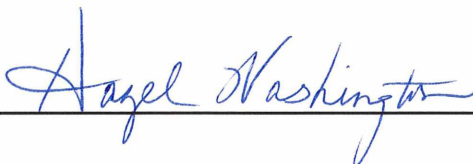
Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

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Ordinance No. 2023-155

Approving the 2023-24 Annual Action Plan

WHEREAS, there is pending before this Council a 2023-24 Annual Action Plan (the Action Plan) to be funded with \$13,287,012 available to the City of Rochester from the federal Community Development Block Grant (CDBG), Home Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), Housing Opportunities for Persons with AIDS (HOPWA), CDBG Program Income, and HOME Program Income;

WHEREAS, the five-year Five Year Consolidated Plan/2020-2024 approved in June, 2020 by Ordinance No. 2020-153 (Consolidated Plan) identifies the priority needs and goals for community and economic development, and the Action Plan, which covers the period from July 1, 2023 to June 30, 2024, describes the projects and activities that will be taken to pursue those needs and goals during the Consolidated Plan's fourth program year;

WHEREAS, the Action Plan has been prepared according to an approved Citizen Participation Plan and the Action Plan reflects the public comments received and the consultations that were conducted;

WHEREAS, the City conducted an initial round of citizen participation activities in February 2023 to inform the public about development of the Action Plan and the opportunities to participate, which included: the on-line posting of a public input survey from February 7 to May 18, 2023; hosting a public hearing in City Council Chambers on February 28, 2023; and posting on-line shortly thereafter the 14-page summary that was presented at the hearing;

WHEREAS, the City published the draft Action Plan for public review and invited public comments during a period extending from April 17 to May 18, 2023;

WHEREAS, on April 26, 2023, the City hosted a second public hearing in the City Council Chambers to present the draft Action Plan and to solicit additional public comments;

WHEREAS, on May 18, 2023, the City Council hosted a third public hearing in the City Council Chambers to solicit additional public comments regarding the Action Plan;

WHEREAS, a final draft of the Action Plan along with a summary of the public comments and recommendations received during the public comment period has been presented to the City Council and posted on-line through the City's Consolidated Community Development Plan Information webpage;

WHEREAS, the City Council has reviewed with City staff the needs, strategies and proposed actions that are set forth in the Action Plan; and

WHEREAS, the City Council has reviewed the public comments and recommendations.

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

Section 1. The Council hereby approves the 2023-24 Annual Action Plan.

Section 2. The Council hereby authorizes the submission of said Action Plan to the United States Department of Housing and Urban Development (HUD).

Section 3. The Council hereby authorizes the Mayor to enter into such agreements and to execute such documents as HUD shall require to allow the City to receive and use the funds necessary to implement the programs and projects set forth in the Action Plan.

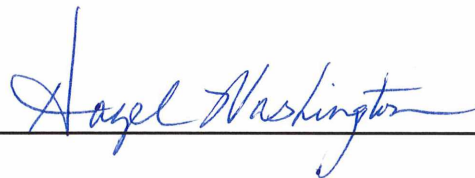
Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

**Rochester, N.Y., _____
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Ordinance No. 2023-156

Appropriation of funds for the City Development Fund

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

Section 1. In accordance with Resolution No. 83-26, the Council hereby appropriates \$2,750,000 in anticipated Urban Development Action Grant (UDAG) program revenues, including loan repayments, reversionary interest, and interest payments, to the City Development Fund (CDF) to supplement the following years' Annual Action Plans (AAPs) in service of the following six goals of the Five Year Consolidated Plan/2020-2024 approved in Ordinance No. 2020-153 (Consolidated Plan):

Consolidated Plan Goal	Annual Action Plan			TOTAL
	2021-22	2022-23	2023-24	
Business Development	\$400,000	\$1,300,000	\$100,000	\$1,800,000
Project Development		\$275,000	\$100,000	\$375,000
Housing Development	\$300,000			\$300,000
Homebuyer Assistance		\$150,000	\$50,000	\$200,000
Homebuyer Training		\$50,000		\$50,000
Celebrate City Living		\$25,000		\$25,000
TOTAL	\$700,000	\$1,800,000	\$250,000	\$2,750,000

Section 2. The Director of Finance shall record all transfers authorized herein and shall have the authority to make adjustments to the allocation of the amounts set forth in Section 1 in the event that the anticipated UDAG revenue falls short of expectations.

Section 3. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the programs to be funded by the appropriations authorized herein. The agreements shall contain such terms and conditions as the Mayor deems appropriate.


Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest



City Clerk



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Ordinance No. 2023-157

Appropriating 2023-24 Annual Action Plan funds, modifying the 2019-20 Annual Action Plan and authorizing agreements for the Aging in Place project

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

Section 1. The sum of \$60,000 is hereby appropriated from the Aging in Place project allocation of the 2023-24 Annual Action Plan to provide Aging in Place services, contingent upon the approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Lifespan of Greater Rochester, Inc. to provide aging in place services. The maximum compensation for the agreement shall be \$60,000, which amount shall be funded from the appropriation in Section 1 herein. The term for the agreement shall be one year with the option to extend the term for one additional year if appropriated funds remain.

Section 3. The Council hereby approves and adopts an amendment of the 2019-20 Annual Action Plan to transfer a total of \$32,339.48 in unspent Community Development Block Grant COVID relief (CDBG-CV) funds to Project # 32 entitled CV-Aging in Place from the following projects: \$41.19 from # 38 entitled CV-Digital Divide; \$8,763.44 from #33 entitled CV-Eviction Prevention; and \$23,534.85 from #41

entitled CV-Assistance to Food Establishments. The Mayor is hereby authorized to submit this Annual Action Plan amendment to the U.S. Department of Housing and Urban Development for approval.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Lifespan of Greater Rochester, Inc. to provide aging in place services that address the impacts of the COVID-19 pandemic. The maximum compensation for the agreement shall be \$32,339.48, which amount is hereby appropriated from the #32 CV-Aging in Place project allocation of the 2019-20 Annual Action Plan. The term for the agreement shall be one year with the option to extend the term for one additional year if appropriated funds remain.

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

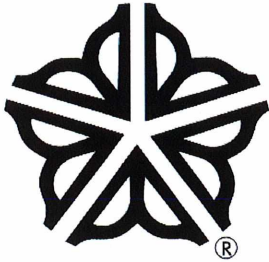
Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest *Aazel Washington*
City Clerk



City of Rochester

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Ordinance No. 2023-158

Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Housing Opportunities for Persons with AIDS program

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

Section 1. The sum of \$1,092,138 is hereby appropriated from the 2023-24 Annual Action Plan (Plan) to provide Housing Opportunities for Persons with AIDS (HOPWA) program services, contingent upon approval of the Plan. This appropriation shall be sourced in the amount of \$546,069 from each of the following two project allocations of the Plan: HOPWA – TH and HOPWA-CCFCS.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Trillium Health, Inc. to provide HOPWA program services. The maximum compensation for the agreement shall be \$546,069, which shall be funded from the HOPWA-TH project allocation of the Plan appropriated in Section 1 herein, contingent upon the approval of the Plan. The term of the agreement shall be one year, with an option to extend for one additional year if funds from the original appropriation remain.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Catholic Charities of the Diocese of Rochester to provide HOPWA program services. The maximum compensation for the agreement shall be \$546,069,

which shall be funded from the HOPWA-CCFCS project allocation of the Plan appropriated in Section 1 herein, contingent upon the approval of the Plan. The term of the agreement shall be one year, with an option to extend for one additional year if funds from the original appropriation remain.

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

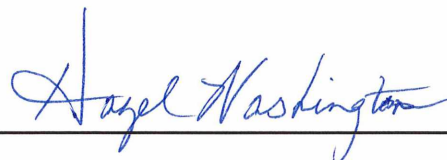
Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest



City Clerk



City of Rochester

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Ordinance No. 2023-159

Appropriating 2023-24 Annual Action Plan funds and authorizing an agreement for Legal Services for Seniors

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

Section 1. The sum of \$40,000 is hereby appropriated from the Legal Services for Seniors project allocation of the 2023-24 Annual Action Plan (Plan) to provide legal services for seniors, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with the Volunteer Legal Services Project of Monroe County, Inc., dba JustCause, to administer and manage the provision of legal services to seniors. The maximum compensation shall be \$40,000, which shall be funded from the appropriation in Section 1 herein. The agreement shall be for a term of one year, with the option to extend for one additional year if appropriated funds remain.

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

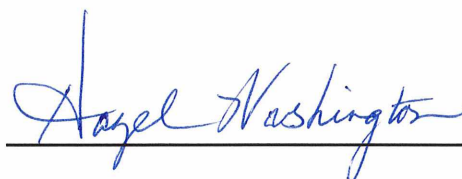
Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
TO WHOM IT MAY CONCERN

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **May 23, 2023** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **May 24, 2023** in accordance with the applicable provisions of law.

Ordinance No. 2023-160

Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Business Development Financial Assistance Program

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

Section 1. The sum of \$206,280 is hereby appropriated from the Business Development Financial Assistance Program (the Program) project allocation of the 2023-24 Annual Action Plan (the Plan) to implement the Program, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with recipient businesses as necessary to implement the Program. The agreements 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, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

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City Clerk



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Ordinance No. 2023-161

Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Neighborhood Commercial Assistance Program

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

Section 1. The sum of \$50,000 is hereby appropriated from the Neighborhood Commercial Assistance Program (the Program) project allocation of the 2023-24 Annual Action Plan (the Plan) to implement the Program, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with recipient businesses as necessary to implement the Program. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

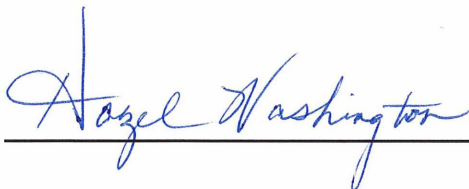
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

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Ordinance No. 2023-162

Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Demolition Program

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

Section 1. The sum of \$1,960,439 is hereby appropriated from the Demolition Program project allocation of the 2023-24 Annual Action Plan (Plan) for the Demolition Program (Program) to remove vacant, derelict and fire damaged structures in the City of Rochester, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with contractors to implement the Program. All such agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

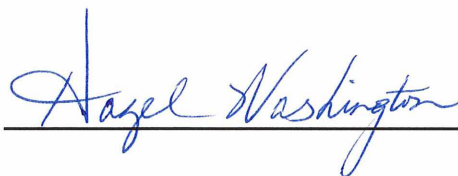
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

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Ordinance No. 2023-163

Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Emergency Assistance Program

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

Section 1. The sum of \$200,000 is hereby appropriated from the Emergency Assistance Program (EAP) project allocation of the 2023-24 Annual Action Plan (Plan) for the Emergency Assistance Program to assist eligible owner-occupant households to address emergencies related to heating furnaces/boilers, hot water tanks and other emergency repairs (the Program), contingent upon the approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with service providers to implement the Program. All such agreements 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, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

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Ordinance No. 2023-164

Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for Lead Hazard Control Program

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

Section 1. The sum of \$400,000 is hereby appropriated from the Lead Hazard Control Program project allocation of the 2023-24 Annual Action Plan (Plan), contingent upon the approval of the Plan, to implement the City's Lead Hazard Control Program (Program).

Section 2. The Mayor is hereby authorized to enter into Program agreements with eligible owners of 1-4 family residential buildings to assist with the costs of remediating lead paint hazards. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

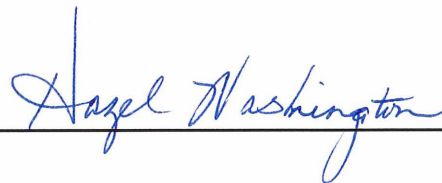
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

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Ordinance No. 2023-165

Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Emergency Solutions Grant program

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

Section 1. The sum of \$664,615 is hereby appropriated from the Emergency Solutions Grants (ESG) project allocation of the 2023-24 Annual Action Plan (Plan) to implement an Emergency Solutions Grant program (ESG Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into professional service agreements with the following organizations to provide ESG Program services to individuals and families who are homeless or at risk for homelessness. The agreements shall obligate the City to pay an aggregate amount not to exceed \$664,615 with the maximum compensation for each agreement being as follows:

Organization (Purpose)	Maximum Compensation
Catholic Charities of the Diocese of Rochester	\$73,087
Coordinated Care Services, Inc. (Coordinated Entry)	\$166,234
Coordinated Care Services, Inc. (Rapid ReHousing)	\$39,203
Family Promise of Greater Rochester, Inc.	\$50,000
House of Mercy, Inc.	\$20,000
Person Centered Housing Options Inc.	\$29,920
Saving Grace Ministries of Rochester, Inc.	\$42,000
Spiritus Christi Prison Outreach, Inc.	\$49,849
The Center for Youth Services, Inc. (Emergency Shelter Operations)	\$40,000
The Center for Youth Services, Inc. (Street Outreach)	\$24,000
The Salvation Army of Greater Rochester	\$21,982
The Young Women's Christian Association of Rochester and Monroe County, N.Y.	\$35,459
Veteran's Outreach Center, Inc.	\$40,000
Volunteers of America of Western New York, Inc.	\$32,881
TOTAL	\$ 664,615

Section 3. The compensation for the agreements shall be funded from the appropriation authorized in Section 2 herein. If funds are not available or are less than anticipated, the agreement amounts and terms may be adjusted accordingly. The term of the agreements shall be for one year, with an option to extend for an additional year if funds from the original appropriation remain.


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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest 
City Clerk



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Ordinance No. 2023-166

Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Homebuyer Assistance Program

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

Section 1. The sum of \$300,000 is hereby appropriated from the Homebuyer Assistance project allocation of the 2023-24 Annual Action Plan (Plan) to implement a Homebuyer Assistance Program (Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into an agreement with each recipient of Program funds in an amount up to \$8,000, to be funded from the appropriation in Section 1 herein. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. The Director of Finance is hereby authorized to record all transfers of Program funds and to make adjustments to the income eligibility, homebuyer's matching contribution and anticipated number of Program recipients based on any changes that occur after this ordinance goes into effect.

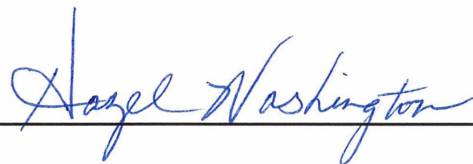
Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0

Attest

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Ordinance No. 2023-167

Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for Street Liaison services

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

Section 1. The sum of \$90,000 is hereby appropriated from the Street Liaison project allocation of the 2023-24 Annual Action Plan (Plan) to implement a Street Liaison program, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into professional services agreements to obtain business development Street Liaison services for each of the City's four quadrants for the maximum compensation amounts as follows:

- a) Northeast Quadrant: with Action for a Better Community, Incorporated for \$20,000 and with Isla Housing and Development Corporation for \$5,000;
- b) Northwest Quadrant: with Highland Planning LLC for \$20,000;
- c) Southeast Quadrant: with Highland Planning LLC for \$20,000; and
- d) Southwest Quadrant: with 19th Ward Community Association of Rochester, New York, Inc. for \$25,000.

The agreements shall be funded from the funds appropriated in Section 1 herein, and the term for each agreement shall be from July 1, 2023 to June 30, 2024.

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 by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

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Ordinance No. 2023-168

Authorizing agreements and appropriating 2023-24 Annual Action Plan funds for Foreclosure Prevention

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 Empire Justice Center to provide legal services for foreclosure prevention related to the COVID-19 pandemic. The maximum compensation for the agreement shall be \$13,231, which shall be funded from unspent funds previously appropriated for foreclosure prevention in section 1 of Ordinance No. 2019-175 and in sections 3 and 4 of Ordinance No. 2021-184. The agreement shall have a term of one year.

Section 2. The sum of \$120,000 is hereby appropriated from the Foreclosure Prevention project allocation of the 2023-24 Annual Action Plan (Plan) to provide Foreclosure Prevention services, contingent upon approval of the Plan.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with The Housing Council at PathStone, Inc. to provide foreclosure prevention services. The maximum compensation shall be \$104,500, which shall be funded from the appropriation authorized in Section 2 herein. The agreement shall have a term of one year.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Empire Justice Center to provide legal services related to foreclosure prevention. The maximum compensation shall be \$15,500, which shall be funded from the appropriation authorized in Section 2 herein. The agreement shall have a term of one year.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate. If funds are not available or are less than anticipated, the agreement compensation amounts and terms shall be adjusted accordingly.

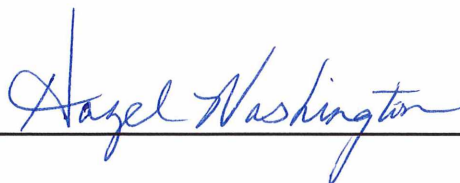
Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

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Ordinance No. 2023-169

Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the HOME Rochester Program and for the Community Housing Development Organization Reserve program

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

Section 1. The sum of \$600,015 is hereby appropriated from the following project allocations of the 2023-24 Annual Action Plan (Plan), contingent upon approval of the Plan, for HOME Rochester Program Management and to subsidize Community Housing Development Organization (CHDO) affordable housing development projects as follows:

Amount	2023-24 Plan project	Purpose
\$186,000	HOME Rochester Program Management	Program Operation
\$414,015	CHDO Reserve	Development subsidies – incomes no more than 80% of the Median Family Income (MFI)

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Rochester Housing Development Fund Corporation (RHDFC) in the maximum amount of \$186,000 to operate the HOME Rochester Program. The agreement shall be funded from the HOME Rochester Program Management funds appropriated in Section 1 and shall have a term of one year.

Section 3. The Mayor is hereby authorized to enter into an agreement with RHDFC, a qualified CHDO, for the administration of housing development subsidies totaling \$414,015 for families whose incomes do not exceed 80% of MFI. The agreement shall be funded from the CHDO Reserve funds appropriated in Section 1. The term of the agreement shall be two years with the option to extend for up to one additional year if funds remain from the appropriation provided for herein.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with RHDFC in the maximum amount of \$100,000 to administer housing development subsidies for families whose incomes are no more than 120% of MFI. The compensation for the agreement shall be funded from 2023-24 Cash Capital, contingent upon approval of the 2023-24 Budget. The term of the agreement shall be two years with the option to extend for up to one additional year if funds remain from the allocation provided for herein.

Section 5. The Mayor is hereby authorized to enter into an amendatory agreement with RHDFC to continue its administration of housing development subsidies for families whose incomes are no more than 120% of MFI. The amendatory agreement shall amend the existing agreement authorized by Section 4 of Ordinance No. 2019-173 and as extended by Ordinance No. 2022-195 to extend the term for one additional year for a total of up to 5 years.

Section 6. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems appropriate. If a specified funding source should be unavailable or provide less funds than anticipated herein, the agreement amounts and terms may be adjusted accordingly. The City and RHDFC shall enter into the agreements only with organizations that are in compliance with federal regulations.

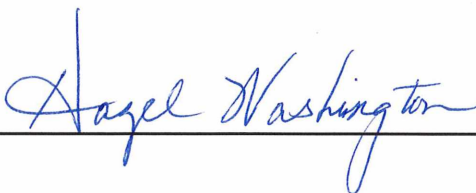
Section 7. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



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Ordinance No. 2023-170

Appropriating 2023-24 Annual Action Plan funds and authorizing an agreement for Tenant and Landlord Services

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

Section 1. The sum of \$100,000 is hereby appropriated from the Tenant and Landlord Services project allocation of the 2023-24 Annual Action Plan (Plan) to implement a Tenant and Landlord Services program that provides housing stabilization services for both tenants and landlords (Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with The Legal Aid Society of Rochester, New York in the maximum amount of \$100,000 to coordinate and provide Program services. The agreement shall be funded from the appropriation in Section 1 herein. The agreement shall be for a term of one year. If funds are not available or are less than anticipated herein, the agreement amount and term may be adjusted accordingly.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest *Hazel Washington* City Clerk



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Ordinance No. 2023-171

Amending Chapters 13A, 39, 52 and 90 of the Municipal Code to enhance and clarify the enforcement of the Property Conservation Code and to deter unauthorized demolitions

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

Section 1. Chapter 13A of the Municipal Code, Municipal Code Violations Bureau, as amended, is hereby further amended to revise subsections D(1)(a), (b) and (c) of § 13A-11, Penalties for offenses, as follows:

- D. The fines and penalties for any violations of the Building Code, Plumbing Code, Electrical Licensing Ordinance, Conveyance Code, Junkyards Code, Stationary Engineers and Refrigeration Operators Licensing Ordinance, New York State Uniform Fire Prevention and Building Code, Multiple Residence Law, Property Conservation Code or Zoning Code, except as provided in Subsections C and E herein, shall be as follows:
- (1) Penalties for violations of the Zoning Code may be assessed on the basis of the two categories specified in subsections D(1)(d) and (e) herein. Violations of the other codes and ordinances shall be categorized as low, medium and high in descending order of gravity as immediate hazard, health and safety, and all other violations in accordance with a list established by the Department of Neighborhood and Business Development or the Director of the Neighborhood Service Centers which is approved by City Council and which is on file with the City Clerk, Commissioner of Neighborhood and Business Development and Director of Parking Violations.

The following fines shall be assessed for violations referred to the Municipal Code Violations Bureau:

(a) ~~Low~~All other violations. Tickets for unabated ~~low~~ violations may be issued every ~~60~~ 30 days.

Low <u>All other violations</u>	Initial Penalty	Penalty Upon Default
First offense	\$50 <u>\$100</u>	\$100 <u>\$200</u>
Second offense	\$100	\$200
Third and subsequent offense	\$200	\$400

(b) ~~Medium~~Health and safety. Tickets for unabated medium violations may be issued every 30 days.

Medium <u>Health and safety violations</u>	Initial Penalty	Penalty Upon Default
First offense	\$75 <u>\$250</u>	\$150 <u>\$500</u>
Second offense	\$150	\$300
Third and subsequent offense	\$300	\$600

(c) ~~High~~ Immediate Hazard [except for zoning violations, which fine schedules are set forth in Subsection D(1)(d) and (e) below]. Tickets for unabated high violations may be issued every seven days, except that tickets that are authorized to be issued immediately may be issued every day.

High <u>Immediate Hazard offense</u>	Initial Penalty	Penalty Upon Default
First offense	\$150 <u>\$500</u>	\$300 <u>\$1,000</u>
Second offense	\$300	\$600
Third and subsequent offense	\$600	\$1,200

Section 2. Chapter 39 of the Municipal Code, Building Code, as amended, is hereby further amended to revise subsection B of §39-225, Penalties for offenses, as follows:

B. Violations of this chapter may be referred to the Municipal Code Violations Bureau, wherein violators shall be subject to the penalties for ~~high~~ immediate hazard category violations set forth in § 13A-11D(1) of the Municipal Code.

Section 3. Chapter 39 of the Municipal Code, Building Code, as amended, is hereby further amended §39-303, Demolition, as follows:

Prior to the issuance of any building permit for demolition, the applicant must meet, to the satisfaction of the Commissioner, the standards for demolition approval and associated regulations as established in Chapter 47A, Demolition Regulations, of the Municipal Code. Any demolition performed without the required approval shall be subject to a fine of \$5,000.

Section 4. Chapter 90 of the Municipal Code, Property Conservation Code, as amended, is hereby further amended to revise subsection A(1) of § 90-16, Certificates of occupancy, as follows:

A. When required:

- (1) No person shall permit the occupancy of a one-family rental dwelling, a building containing two or more dwelling units, or a mixed-occupancy building containing one or more dwelling units unless a valid certificate of occupancy is in effect for said building. If such a building is occupied in violation of this section, a ticket may be served on the owner of the building. The violation shall be considered ~~a high-level~~ a health and safety violation for which the penalties set forth in § 13A-11D(1)(c) of the Municipal Code shall apply.

Section 5. Chapter 90 of the Municipal Code, Property Conservation Code, as amended, is hereby further amended to revise subsection D, Responsibilities of owners, as follows:

- D. The hearing examiner may grant an owner an adjournment in contemplation of dismissal, for a period not to exceed four months, on any violation which the owner proves clear and convincing evidence was caused by the lessees or occupants of a specific unit. The violation shall be dismissed if, prior to the expiration of the period of adjournment, the owner provides proof that the violation has been corrected. Notwithstanding such an adjournment, the premises, if vacated by the current lessees or occupants, shall not be reoccupied until all ~~high-level health and safety~~ immediate hazard category violations relating to the unit have been corrected. If, at the expiration of the period of adjournment, the violation has not been corrected, the proceeding shall not be dismissed, and the hearing examiner shall promptly determine the charge.

Section 6. Chapter 90 of the Municipal Code, Property Conservation Code, as amended, is hereby further amended in §90-20, Building owner's registry required, to modify subsection E(5) as follows:

- (5) It shall be a violation of this chapter for an owner to fail to provide the information or to provide inaccurate information required herein for the registry. A ticket may be served on the owner of a building who fails to register, reregister or otherwise comply with the provisions of this section. The violation shall be considered a ~~medium-level~~ health and safety category violation for which the penalties set forth in § 13A-11D(1)(b) of the Municipal Code shall apply.

Section 7. Chapter 52 of the Municipal Code, Enforcement Procedures, as amended, is hereby further amended in §52-3, Penalties for offenses, by adding subsections D and E as follows:

D. Should it become necessary for the City to bring a legal action due to the failure of a property owner to correct violations of the New York State Uniform Fire Prevention and Building Code and as specified and required under a notice and order and within the deadline specified therein in accordance with New York State Executive Law Section 382(2) and state regulation 19 NYCRR § 1203.5, the Corporation Counsel shall be authorized to seek fines and penalties pursuant to the authorization set forth in that state statute as follows, or in accordance with any subsequent amendment to the state statute:

- (1) for the first 180 days following the expiration of the deadline, a fine of up to \$1,000 per day of violation, or imprisonment not exceeding one year, or both; and
- (2) if the violation remains uncorrected thereafter, then for the next 180 days the violation shall be punishable by a fine of no less than \$25 and not more than \$1,000 per day of the continuing violation or imprisonment not exceeding one year, or both; and
- (3) if the violation remains uncorrected thereafter, it shall be punishable by a fine of no less than \$50 and not more than \$1,000 per day of the continuing violation or imprisonment not exceeding one year, or both.

E. In any legal action or special proceeding commenced in accordance with this section, the City of Rochester shall be entitled to recover reasonable attorney fees as well as all other reasonable costs and expenses incurred.

Section 8. This ordinance shall take effect on August 1, 2023.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerk's Office

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Rochester, N.Y., _____
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Ordinance No. 2023-172

Amending Chapter 90 of the Municipal Code, Property Conservation Code, to establish a Vacant Building Registry

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

Section 1. Chapter 90 of the Municipal Code, Property Conservation Code, as amended, is hereby further amended to revise subsections A and B of § 90-17, Vacant properties, as follows:

§ 90-17. Vacant properties.

A. Purpose and definitions.

(1) Purpose. In the City of Rochester there are vacant structures which do not possess the protective measures normally provided by legal occupants, making such structures subject to unlawful entry, vandalism and fires. Therefore, these vacant structures present a potential health and safety hazard to the general public, the immediate neighbors and residents and public employees performing municipal duties and services in the area or at the site of the vacant structure.

(2) Definitions. As used in this section, the following terms shall have the meanings indicated:

SECURE — To render inaccessible to unauthorized entry by closing, bolting, repairing, boarding or otherwise fastening all doors, windows and other openings through which unauthorized entry may be gained.

VACANT BUILDING — ~~A building which is not occupied or used or lived in.~~
Any building, commercial or residential, in which no occupant lawfully resides or no tenant is in lawful possession, or any building otherwise not being used for any lawful occupancy.

VACANT LOT — A lot, other than parklands, which is not improved by a structure and is not regularly maintained.

B. Owner's duties.

- (1) Vacant buildings. It shall be the duty of every owner of property which has a vacant building thereon:
 - (a) To maintain the building in a safe and sanitary condition and in compliance with this Property Code and Sections 302 and 304 of the Property Maintenance Code of New York State.
 - (b) To secure the building to prevent unauthorized entry.
 - (c) To maintain the yard free of trash and debris, high grass and overgrown weeds.
 - (d) To paint all boarded openings in a neutral or earth-tone color. A "neutral color" is defined as one which is a similar shade to the existing color of the structure.
 - (e) For a building that has been vacant more than sixty days, to register the building on the City's vacant building registry in accordance with § 90-21 of this chapter.
- (2) Vacant lots. It shall be the duty of every owner of a vacant lot to maintain the lot in a safe and sanitary condition and in compliance with the Property Code. It shall also be the duty of every owner of a vacant lot to maintain the lot free of refuse, high grass and overgrown weeds.

Section 2. Chapter 90 of the Municipal Code, Property Conservation Code, as amended, is hereby further amended in §90-20, Building owner's registry required, to insert a new subsection F and to recodify the existing subsection F as subsection G, as follows:

- F. If the owner is a limited liability company, the following additional information and documentation shall be provided to the building owner's registry:
- (1) A document identifying the names and business addresses of all members, managers, and any other authorized persons, if any, of such limited liability company.
 - (2) If any such member, manager, or authorized person of the limited liability company is itself a limited liability company or any other business entity that is not a publicly traded entity, REIT, a UPREIT, or a mutual fund, the names and addresses of the shareholders, directors, officers, members, managers, and partners of such limited liability company or other business entity shall also be disclosed until full disclosure of ultimate ownership by natural persons is achieved.
 - (3) For the purposes of this subsection F, the terms "members," "managers," "authorized person," "limited liability company" and "other business entity" shall have the same meaning as those are defined in section one-hundred two of the limited liability company law.

(4) The identification of such names and addresses shall not be deemed an unwarranted invasion of personal privacy pursuant to article six of the NYS Public Officers Law.

FG. This section shall not apply to buildings that are owner-occupied one-family dwellings or owner-occupied two-family dwellings; buildings owned by federal, state or local government units; hospitals; schools, colleges or universities; or commercial or industrial buildings that maintain operations for 24 hours each day or that have security on site 24 hours each day. A single registration shall be required for all buildings on a property.

Section 3. Chapter 90 of the Municipal Code, Property Conservation Code, as amended, is hereby further amended by adding § 90-21 as follows:

§ 90-21. Vacant building registry required.

A. Purpose. The City of Rochester faces a growing vacant building crisis. Vacant buildings, by their very nature, impose disproportionate costs on both the City at large and the neighborhoods in which they are located. These include, but are not limited to, increased risk of fire, illegal occupancy, and use for sex trafficking and drug sales. The purpose of this section is to establish a program for identifying and registering vacant buildings in order to incentivize their rehabilitation and improve public safety in concert with other vacant property obligations and remedies set forth in § 90-17 and elsewhere in this chapter.

B. Definitions. As used in this section, the following term shall have the meaning indicated:

VACANT BUILDING — Any building, commercial or residential, in which no occupant lawfully resides or no tenant is in lawful possession, or any building otherwise not being used for any lawful occupancy.

C. Vacant building registration. With the exception of exemptions specified in subsection F herein, the owner or owners of a vacant building (hereinafter referred to individually and collectively as the owner) shall register such building with the Commissioner of Department of Neighborhood and Business Development (Commissioner) no later than 60 days after the building becomes vacant and shall renew the registration on an annual basis thereafter for so long as the building remains vacant.

(1) Initial registration. The initial registration shall be submitted on a form provided by the Commissioner and shall include the following information and documents:

(a) The address of the vacant building.

(b) The name, address, and telephone number of each owner of the building.

(c) A photocopy of a government issued photo identification for each owner.

(d) If the owner is a limited liability corporation (LLC), then the registration shall identify the names and business addresses of all members, managers, and any other authorized persons, if any, of such LLC, and, if any such

member, manager, or authorized person of the LLC is itself a LLC, then the registration shall include such additional information and documentation as is required by §90-20F for LLCs enrolling in the building owner's registry.

- (e) If the owner is not a natural person, then the registration shall specify the name, street address and business telephone number of a natural person who is designated by the owner as responsible to serve as an agent, manager or principal maintenance person who is in control of the vacant building property.
 - (f) If the owner resides or is located outside of Monroe County, the registration must include the name, street address, and telephone number of a person or business entity residing or located in Monroe County who shall be responsible for maintaining the vacant building property.
 - (g) A vacant building management plan in accordance with subsection D herein.
 - (h) A certificate indicating that the property is insured for the period that the building remains vacant.
 - (i) Payment of the registration fee in the amount specified herein in subsection 90-21C(3).
- (2) Renewed registration. The term for each initial registration and for each renewed registration filed in accordance with this section shall expire on the last day of the 12th month following the filing of the initial or renewed registration. If a subject building remains vacant after the registration term expires, then the owner must file a renewed registration no later than the expiration date. The renewed registration shall be submitted on a form provided by the Commissioner and shall include an updated version of the information and documents that are required for the initial registration listed in subsection 90-21C(1).
- (3) Registration fee. Each registration, whether it be initial or renewed, shall be accompanied by the payment of a registration fee that is based on the type and the tenure of the vacant building in accordance with the following fee schedule:

<u>Building Type</u>	<u>Year 1: Initial registration</u>	<u>Year 2: First renewed registration</u>	<u>Years ≥ 3: Each subsequent registration</u>
<u>1-3 unit residential</u>	<u>\$250</u>	<u>\$500</u>	<u>\$1,000</u>
<u>4-6 unit residential</u>	<u>\$500</u>	<u>\$1000</u>	<u>\$2,000</u>
<u>7+ unit residential</u>	<u>\$100 per unit</u>	<u>\$200 per unit</u>	<u>\$400 per unit</u>
<u>Commercial: the greater of:</u>	<u>\$1,000 or \$0.05 per square foot</u>	<u>\$2,000 or \$0.10 per square foot</u>	<u>\$4,000 or 0.20 per square foot</u>

provided, however, that the fee shall be \$100, regardless of property type, for every initial registration that is accompanied by a vacant building management plan that provides for either of the demolition or the rehabilitate/reoccupy option compliant with subsection D herein and provided further that if the plan for demolition or rehabilitate/reoccupy is not approved by the Commissioner or is not implemented in accordance with the plan and timeframe specified by the owner, the owner shall be required to pay an additional surcharge fee on the subsequent renewal registration that shall be the initial year 1 registration fee for the pertinent building type, less \$100.

- (4) Transfer of ownership. One owner's filing of a vacant building registration is not transferrable to a subsequent owner. Regardless of whether the prior owner has filed a complete registration, the new owner must submit to the Commissioner its own registration for a vacant building within 60 days of any transfer of ownership interest therein. The registration form must include all the elements, including the fee, that are required for an initial registration.

D. Vacant Building Management Plan. Every vacant building registration shall be accompanied by a vacant building management plan (Management Plan). The Management Plan shall address one or more of the following three management options for the vacant building property:

- (1) Demolition. The plan for this option shall include a time schedule indicating when major phases of the work are to be initiated and completed, including those activities necessary to protect worker safety, human health and the environment and to satisfy site restoration and design standards as set forth in the City's Demolition Regulations in Chapter 47A of the Municipal Code.
- (2) Rehabilitate and reoccupy. The plan for this option shall include a time schedule of the major phases of repair, renovation and rehabilitation activities to be completed no later than the expiration of the the registration to which it is attached.
- (3) Stabilize and Maintain. If the building is to remain vacant indefinitely or for so long as it will remain vacant prior to the implementation one of the foregoing demolish or rehabilitate/reoccupy options, the plan should include a list and time schedule for all measures necessary to maintain and secure the building in accordance with the owner's duties and standards of safety and sanitation set forth in § 90-17 of this chapter, as well as a statement of the reasons why the building will be left vacant either indefinitely or temporarily prior to implementing one of the demolition or rehabilitate/reoccupy options.

The Management Plan shall be reviewed by the Commissioner and the registration to which it is attached shall not be deemed complete until the Management Plan is approved by the Commissioner. The Management Plan shall be submitted on a form provided by the Commissioner, and upon completing the review, the Commissioner shall notify the owner that the Management Plan is either accepted or rejected and, in the case of a rejection, what additions or modifications are necessary to make the Management Plan acceptable.

E. Violations: The failure to abide by the vacant building registry requirements of this section, including but not limited to, the obligations to submit a complete registration, to submit the correct registration fee, to submit a complete

Management Plan, to remedy any deficiencies in the Management Plan identified by the Commissioner, and to implement all the elements of the approved Management Plan on a timely basis, shall constitute a violation of this Property Conservation Code chapter, which shall be subject to the enforcement procedures, notices and orders, and penalties for offenses that are specified or referenced in Chapter 52 of the Municipal Code, Enforcement Remedies. A ticket may be served on the owner of a vacant building who fails to register, renew a reregistration or otherwise comply with the provisions of this section. The violation shall be considered a health and safety category violation for which the penalties set forth for that category in § 13A-11D(1) of the Municipal Code shall apply.

F. Exemptions. The vacant building registration requirements of this section do not apply to:

- (1) Any single-family owner-occupied residential dwelling where the owner departs Rochester for the winter months, provided that:
 - (a) the property is secured in a manner that does not indicate from the exterior that the property is vacant;
 - (b) the property does not have outstanding code violations;
 - (c) the owner will return to Rochester no later than 180 days after departing;
 - (d) the owner has arranged for property maintenance, including snow removal, grass-cutting, and other landscaping obligations.
- (2) Any property owned by the Rochester Land Bank Corporation.

Section 4. This ordinance shall take effect on January 1, 2024.

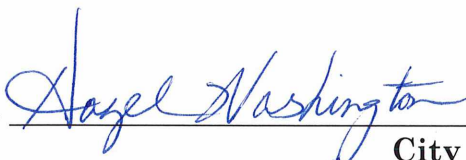
Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
TO WHOM IT MAY CONCERN

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **May 23, 2023** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **May 24, 2023** in accordance with the applicable provisions of law.

Ordinance No. 2023-173

Establishing a Landlord-Tenant Bill of Rights and Responsibilities for residential dwellings, as amended

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

Section 1. The Municipal Code of the City of Rochester, as amended, is hereby further amended by adding Chapter 95 as follows:

Chapter 95 Residential Landlord-Tenant Bill of Rights and Responsibilities

§ 95-1. Purpose.

The Council and Administration hereby find that educating residential landlords and tenants of their respective rights and responsibilities is an essential step to address pressing housing concerns in the City of Rochester.

§ 95-2. Bill of Rights and Responsibilities.

The Commissioner of Neighborhood and Business Development, in consultation with the Corporation Counsel, shall compose a clear and concise document entitled Landlord-Tenant Bill of Rights and Responsibilities (Bill of Rights and Responsibilities), which shall spell out significant rights and responsibilities of both the landlords and tenants of residential rental properties in the city. The Bill of Rights and Responsibilities shall be derived from those sources of law and policy that the Commissioner determines to be pertinent, including but not limited to Federal, State, and City statutes, charter, codes, ordinances, regulations, and policies. The Commissioner and the Corporation Counsel shall revise the Bill of Rights and Responsibilities as they deem appropriate to:

- A. reflect changes to relevant laws and policies; or
- B address new or previously unforeseen issues that are identified during the City's implementation of its code enforcement, nuisance prevention, affordable housing, human rights, zoning, health and sanitation, and other functions relevant to rental housing.

§ 95-3. Distribution.

The Commissioner shall ensure that copies of the Bill of Rights and Responsibilities are distributed to landlords and tenants on a regular basis as follows:

- A. to the tenants of every known residential rental property by mail once per year to the best of the City's ability;
- B. to the landlord of every known residential rental property by mail once per year addressed to:
 - (1) the owner of record on the City's real property tax records; and
 - (2) the local property maintenance person identified in lieu of a principal, partner or owner residing in the Rochester region on the building owner's registry pursuant to § 90-20 of the City's Property Conservation Code;
- C. attached to every Certificate of Occupancy that is issued to a landlord or tenant; and.
- D. in other circumstances where code enforcement officers interact with landlords and tenants

Section 2. This ordinance shall take effect on August 1, 2023, and the first annual mailing of the Bill of Rights and Responsibilities to landlords and tenants shall occur no later than January 5, 2024.

Section 3. The City Administration will present the Landlord-Tenant Bill of Rights to City Council for review each July – reflecting any changes or modifications which occurred over the prior twelve months.


Underlining indicates new text

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest


City Clerk



City of Rochester

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Ordinance No. 2023-174

Approving the Amended Marketview Heights Urban Renewal District Plan

WHEREAS, this Ordinance applies to the Marketview Heights Urban Renewal District (URD), which is an area within an irregularly shaped boundary generally including properties located along the west side of Scio Street from the Inner Loop to the railroad tracks, easterly along the railroad tracks and cutting over to Augusta Street running east, properties along the east side of North Union Street running south of Champeney Terrace to Kenilworth Terrace, then including properties on the north side of East Main Street and west of Prince Street, and then east of the Inner Loop from East Main Street to the west side of Scio Street;

WHEREAS, by Ordinance No. 2011-343 adopted on January 24, 2011, the Council designated the Marketview Heights URD as an area that is appropriate for urban renewal in accordance with an urban renewal plan to be developed in accordance with the provisions of Article 15 of the General Municipal Law of the State of New York;

WHEREAS, by Ordinance No. 2014-380 in December 2014, the Council approved the Marketview Heights Urban Renewal District Plan for the Marketview Heights URD as prepared by Interface Studio LLC, Real Estate Strategies, Inc. / RES Advisors and Bergmann Associates and dated June 11, 2014 (Marketview Heights URD Plan);

WHEREAS, on behalf of the Mayor, the Department of Neighborhood and Business Development's Division of Housing has prepared and proposed the adoption of an amended Marketview Heights URD Plan which would redirect development efforts in portions of the MVH URD away from multi-family rental dwellings and toward single-family owner-occupied dwellings (Amended Plan); and

WHEREAS, after reviewing the Amended Plan and hearing testimony at a public information meeting on March 27, 2023 in accordance with Zoning Code §120-190C(3)(c), the City Planning Commission voted 5-0 to recommend approval of the Amended Plan.

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

Section 1. The Council hereby approves the Amended Marketview Heights Urban Renewal District Plan as modified by the Department of Neighborhood and Business Development and dated March, 2023 (the Amended Plan), copies of which shall be filed with the Manager of City Planning and the Manager of Zoning and with another kept on file and available for public review in the zoning and building permit office in Room 121B of City Hall.

Section 2. The Council finds that:

- (a) The Marketview Heights URD is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the City.
- (b) Financial aid to be provided to the City is necessary to enable the urban renewal program to be undertaken in accordance with the Amended Plan.
- (c) The Amended Plan affords maximum opportunity to private enterprise, consistent with the sound needs of the City as a whole, to undertake an urban renewal program.
- (d) The Amended Plan conforms to a comprehensive community plan for the development of the City as a whole.
- (e) There is a feasible method for the relocation of families and individuals displaced from the urban renewal area into decent, safe and sanitary dwellings at affordable prices or rents and reasonably accessible to their places of employment.

(f) Undertaking and carrying out the urban renewal activities set forth in the Amended Plan in stages is in the best public interest and will not cause any additional or increased hardship to the residents of the Marketview Heights URD.

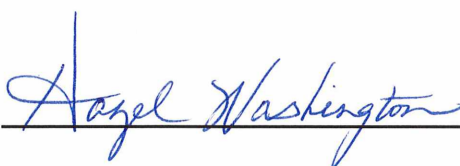
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
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Ordinance No. 2023-175

Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Owner-Occupant Housing Rehabilitation Program, as amended

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

Section 1. The sum of \$750,000 is hereby appropriated from the Owner-Occupant Housing Rehabilitation Program project allocation of the 2023-24 Annual Action Plan (Plan) to provide financial assistance to eligible owner-occupants of one- to four-family residential buildings in low-mod income census tracts to address health, safety and other blighting conditions (the Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with property owners to implement the Program. All such agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.


Underlining indicates new text

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



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Ordinance No. 2023-176

Appropriating 2023-24 Annual Action Plan funds and authorizing agreements for the Rental Housing Rehabilitation Program, as amended

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

Section 1. The sum of \$190,000 is hereby appropriated from the Rental Housing Rehabilitation Program project allocation of the 2023-24 Annual Action Plan (Plan) to provide financial assistance to eligible owners of 1-4 family residences located in low-mod income census tracts that house low-income tenants to address health, safety and other blighting conditions (the Program), contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into agreements with participating parties to implement the Program. The agreements shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

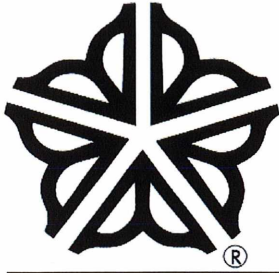
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Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest *Aazel Washington* City Clerk



City of Rochester

City Clerk's Office

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Ordinance No. 2023-177

Appropriating 2023-24 Annual Action Plan funds and authorizing an agreement for the International Plaza

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

Section 1. The sum of \$52,000 is hereby appropriated from the International Plaza allocation of the 2023-24 Annual Action Plan (Plan), contingent upon approval of the Plan, to provide services related to the engagement, operation, and activation of the International Plaza at 828 North Clinton Avenue.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with IBERO-American Development Corporation in a maximum amount of \$72,000 to fund a full-time position and to deliver entertainment, art, and community events at the International Plaza. The maximum amount for the agreement shall be funded in the amounts of \$52,000 from the appropriation in Section 1 herein and \$20,000 from the 2023-24 Budget of the Department of Recreation and Human Services, contingent upon approval. The term of the agreement shall be from July 1, 2023 through June 30, 2024.

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

Section 4. This ordinance shall take effect immediately.

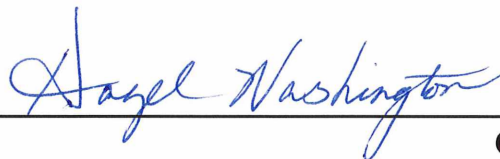
Passed by the following vote:

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

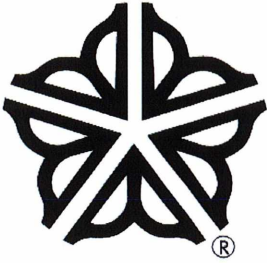
Nays - None - 0.

President Meléndez abstained due to a professional relationship.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



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Ordinance No. 2023-178

Appropriating STEAM Engine funds from the 2023-24 Annual Action Plan and authorizing an agreement for the ROCmusic program

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

Section 1. The sum of \$25,000 is hereby appropriated from the STEAM Engine project allocation of the 2023-24 Annual Action Plan (Plan) to fund the ROCmusic enrichment program for youth, contingent upon approval of the Plan.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with the David Hochstein Memorial Music School Inc. to provide music instructors for the ROCmusic program. The maximum compensation for the agreement shall be \$20,000, which shall be funded from the Plan's STEAM Engine allocation appropriated in Section 1 herein. The term of the agreement shall be one year.

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

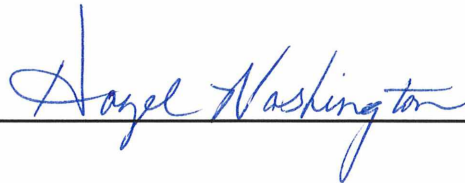
Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

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Ordinance No. 2023-179

Appropriating 2023-24 Annual Action Plan funds for the Roc Paint Division Mural Arts Project

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

Section 1. The sum of \$6,000 from the Job Creation/Youth Development project allocation of the 2023-24 Annual Action Plan (Plan) is hereby appropriated for the Roc Paint Division Mural Arts project (Project), contingent upon approval of the Plan. The appropriation shall be used for Project supplies, educational field trips, and artistic training.

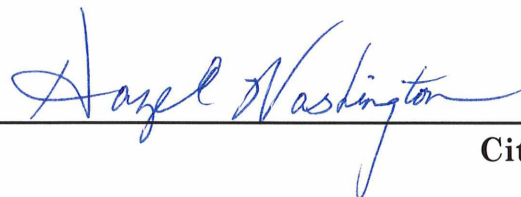
Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

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City Clerk



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Ordinance No. 2023-180

Appropriating 2023-24 Annual Action Plan funds for smoke and carbon monoxide detectors installation program

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

Section 1. The sum of \$55,000 is hereby appropriated from the Fire Department Small Equipment project allocation of the 2023-24 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.

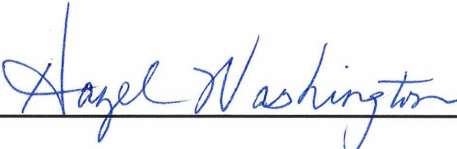
Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest



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Ordinance No. 2023-181

Authorizing an agreement and amending the 2022-23 Budget in relation to a Project Safe Neighborhoods – Group Violent Dispute Intervention 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 Rochester Institute of Technology (RIT) for the City and RIT to cooperate in the design, management and implementation of a Group Violent Dispute Intervention Program in order to reduce violent gang-related disputes (Program) to be funded by the United States Department of Justice's Project Safe Neighborhoods initiative. RIT shall reimburse the City for its costs implementing the Program, in an amount not to exceed \$100,000. The term of the agreement shall extend from October 1, 2022 through September 30, 2025.

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 Police Department by \$25,000 and to the Budget of Undistributed Expense by \$8,800, which amounts are hereby appropriated to the Project from anticipated reimbursements of Project expenses authorized in Section 1 herein.

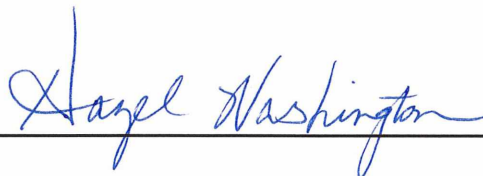
Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays - Councilmember Martin - 1.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
TO WHOM IT MAY CONCERN

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Ordinance No. 2023-182

Authorizing an agreement for an Officer Assistance Program for the Police Department

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 University of Rochester Medical Center to administer an Officer Assistance Program that provides counseling and critical incident stress management services to Police Department officers and their families. The term of the agreement shall be one year with the option to extend for up to four additional one-year periods. The maximum compensation for the initial term shall be \$25,000, which shall be funded from the 2023-24 Budget of the Police Department, contingent upon approval. The maximum compensation for each optional one-year extension may be increased by up to 3.5% and shall be funded from a subsequent year's Budget of the Police Department, contingent upon approval.

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, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest *Hazel Washington*
City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
TO WHOM IT MAY CONCERN

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Ordinance No. 2023-183

Approving the apportionment of taxes and charges

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

Section 1. The Council hereby approves the apportionment of taxes and charges upon 47 parcels of land as certified by the Assessor of the City of Rochester, pursuant to Section 6-78 of the Charter of the City of Rochester, in accordance with the list which is available in the Office of the City Clerk.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest *Hazel Washington*
City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
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Ordinance No. 2023-184

Authorizing an amendatory agreement for upgrades to the 311 Call Center system

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 Verint Americas Inc. to upgrade the 311 Call Center system. The amendatory agreement shall amend the existing agreement that was authorized by Ordinance No. 2022-295 to provide for migrating citizen and case data to a modern, cloud-based solution and to increase the maximum compensation by \$21,741.52 to a new total of \$648,171.52. The amendatory compensation shall be funded from the 2022-23 Budget of Information Technology.

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

Nays - None - 0.

Attest *Hazel Washington* City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
TO WHOM IT MAY CONCERN

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Ordinance No. 2023-185

Authorizing an amendatory agreement for change management training for the Project Management Office

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 Luz Flores Lee, doing business as Loving All of You, to continue to provide change management training to the City's Project Management Office (PMO), including elements customized to the PMO's management of replacements and upgrades to the City's legacy mainframe systems. The amendatory agreement shall amend the existing agreement that was authorized in March 2023 to account for the additional training and to increase the maximum compensation by \$20,000 to a new total of \$30,000. The amendatory compensation shall be funded from the 2022-23 Budget of the Office of the Mayor. The term of the amendatory agreement shall remain one year.

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

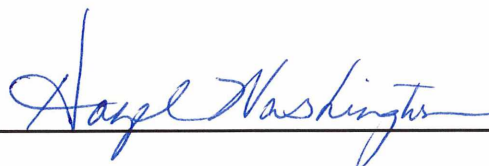
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
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Ordinance No. 2023-186

Authorizing an agreement for conflict counsel services for Police Department disciplinary hearings

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 to provide legal services as conflict counsel for Police Department disciplinary hearings in those circumstance in which the Law Department has a conflict of interest. The maximum annual compensation for those services shall be \$82,500. The term of the agreement shall be from June 18, 2023 through June 30, 2024, with the option to extend for up to four additional one-year periods. The compensation for the initial term shall be funded from the 2022-23 Budget of the Police Department, and the compensation for any extended terms shall be funded from future years' Budgets of the Police Department contingent upon approval.

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

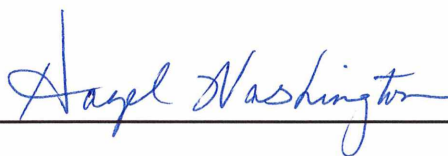
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays - Councilmember Martin - 1.

Attest



City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
TO WHOM IT MAY CONCERN

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Ordinance No. 2023-187

Approving the commitment of tax relief and retirement reserves

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

Section 1. The Council hereby approves the commitment of \$12,889,400 for the purpose of property tax relief to assist in addressing future projected budget deficits. The Council hereby further approves the commitment of \$7,931,000 for the purpose of retirement to assist in managing future retirement costs

Section 2. The funds to be committed shall be funded from the surpluses available from the 2021-22 Budget of the City of Rochester, said funds having previously been assigned to the purpose of property tax relief and to the purpose of retirement by the Director of Finance pursuant to the authority provided by the City Charter.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



City of Rochester

City Clerk's Office

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Ordinance No. 2023-188

Determining and certifying base proportions, current percentages, and base percentages for the 2023 Assessment Roll

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the current base proportions, current percentages, and base percentages for the City's 2023 assessment roll to be as follows:

	Homestead Class	Non-Homestead Class
Current base proportions	43.73852%	56.26148%
Current percentage	62.24670%	37.75330%
Base percentage	52.03550%	47.96450%

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the New York State Department of Taxation and Finance, Office of Real Property Tax Services.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays - Councilmember Peo - 1.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City clerk



City of Rochester

City Clerk's Office

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Rochester, N.Y., _____
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Ordinance No. 2023-189

Determining and certifying adjusted base proportions, assessed value, and net changes in assessed value for the 2023 Assessment Roll

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the adjusted base proportions, assessed value, and net change in assessed value for the City's 2023 assessment roll to be as follows:

	Homestead Class	Non-Homestead Class
Adjusted base proportion	.4342486	.5657514
Taxable assessed value	4,565,936,564	3,092,023,299
Net change in assessed value from 2022 resulting from physical and quantity changes	+14,315,783	+12,340,658
Net change in assessed value from 2022 resulting from other than physical and quantity changes	-246,700	-7,803,800

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the New York State Department of Taxation and Finance, Office of Real Property Tax Services.

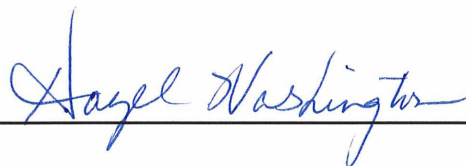
Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

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Ordinance No. 2023-190

Authorizing an amendatory agreement with General Code, LLC for indexing Council Proceedings

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 General Code, LLC to complete the preparation of annual indexes for the Council Proceedings for the years 2017 through 2021. The amendatory agreement shall add six months to the term of the original agreement authorized in Ordinance No. 2022-72, for a total term of 18 months.

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

Nays - None - 0.

Attest *Ayzel Washington*
City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

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Local Improvement Ordinance No. 1800

Local Improvement Ordinance – establishing the levy and budget for the special work and services related to the Main Street improvements of the Downtown Enhancement District for 2023-24

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

Section 1. The cost of the special work and services for the 2023-24 fiscal year for the Downtown Enhancement District to be allocated and levied in accordance with Local Improvement Ordinance No. 1291, as continued and amended by Local Improvement Ordinances Nos. 1355, 1444, 1531, 1597, 1686 and 1756, is hereby established at \$726,800. Such amount plus \$30,000 in operating revenues, or so much thereof as may be necessary, are hereby appropriated to fund the Downtown Enhancement District for the 2023-24 fiscal year.

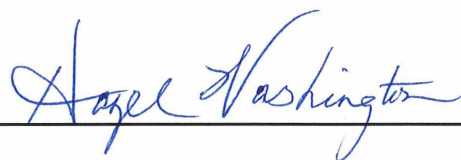
Section 2. This ordinance shall take effect on July 1, 2023.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



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Local Improvement Ordinance No. 1801

Local Improvement Ordinance authorizing special work and services related to the South Avenue/Alexander Street Open Space District for 2023-24

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

Section 1. The cost of special work and services for the 2023-24 fiscal year for the South Avenue/Alexander Street Open Space District established in accordance with Local Improvement Ordinance No. 1740 is \$8,900, which amount shall be assessed and billed on the 2023-24 tax bills and apportioned among the District properties based upon their assessed values (without reduction for exemptions) and in relation to their proximity to the open space. Parcels in the Outer Tier of the district shall be charged at half the rate of the Inner Tier parcels. Any assessment not paid by its due date shall be a lien upon the property billed and a personal obligation of the property owner.

Section 2. The Council hereby finds that it would be impracticable to select a maintenance contractor through competitive bidding, designates the South Wedge Area Neighborhood Council, Inc. (SWANC) to perform the special work and services, and authorizes the Mayor to enter into an agreement with SWANC for this purpose.

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

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

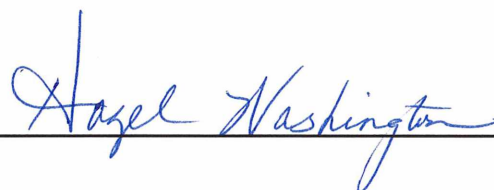
Section 5. The ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

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City Clerk



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Local Improvement Ordinance No. 1802

Local Improvement Ordinance - Establishing the operating and maintenance costs of neighborhood commercial and residential parking areas for 2023-24

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

Section 1. The 2023-24 assessment for operation and maintenance of the special assessment district parking lots listed below shall be \$70,403. The assessment amounts are hereby authorized and appropriated and shall be allocated and levied against the properties benefited by the special assessment district parking lots that were established and continued by the Local Improvement Ordinances (LIOs) specified, as follows:

Lot Name	Establishing and latest LIO No.	2023-24 Assessment
Lyell Avenue	1548/1704	\$10,462
Monroe/Oxford	1289/1770	\$16,991
Woodside/Goodwill	1517/1803	\$16,000
Culver/Merchants	1534/1688	\$14,250
North Street	1258/1771	\$11,700
Mt. Hope	1651/1804	\$ 1,000

Section 2. The 2023-24 budget for the operation and maintenance of the special assessment district parking lots shall be \$70,403 comprised of the assessed amounts specified in Section 1 herein.

Section 3. It is hereby determined that it is impracticable to have the operation and maintenance work provided for herein done by competitive contract. Therefore, contracts for the work may be awarded to such qualified persons, companies or neighborhood associations as may be selected from those located in or adjacent to the aforementioned special assessment districts.

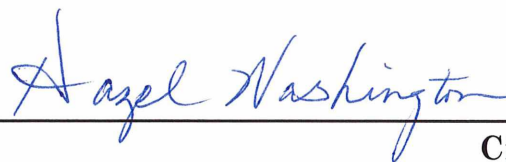
Section 4. This ordinance shall take effect on July 1, 2023.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest



City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
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Local Improvement Ordinance No. 1803

Continuation of Local Improvement Ordinance No. 1517 relating to the Woodside/Goodwill Neighborhood Commercial Parking Lot

WHEREAS, by Local Improvement Ordinance No. 1517 adopted in 2003, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the Woodside/Goodwill Neighborhood Commercial Parking Lot; and

WHEREAS, said Local Improvement Ordinance was extended for a subsequent term of ten years by Local Improvement Ordinance No. 1665, and the Council desires to continue said Local Improvement Ordinance for an additional period of ten years.

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

Section 1. Local Improvement Ordinance No. 1517, relating to the levying of local improvement assessments to fund the cost of special work and services for the Woodside/Goodwill Neighborhood Commercial Parking Lot, as extended by Local Improvement Ordinance No. 1665, is hereby re-enacted for an additional period of ten years, commencing on July 1, 2023 and continuing through June 30, 2033.


Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

Handwritten signature of Hazel Washington in blue ink.

City Clerk



City of Rochester

City Clerk's Office

Certified Ordinance

Rochester, N.Y., _____
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Local Improvement Ordinance No. 1804

Continuation of Local Improvement Ordinance No. 1651 relating to the Mt. Hope Avenue Neighborhood Commercial Parking Lot

WHEREAS, by Local Improvement Ordinance No. 1651 adopted in 2012, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the Mt. Hope Avenue Neighborhood Commercial Parking Lot for a term of ten years; and

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

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

Section 1. Local Improvement Ordinance No. 1651, relating to the levying of local improvement assessments to fund the cost of special work and services for the Mt. Hope Avenue Neighborhood Commercial Parking Lot, is hereby re-enacted for an additional period of ten years, commencing on July 1, 2022 and continuing through June 30, 2032.


Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk



City of Rochester

City Clerk's Office

Certified Resolution

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that at a meeting of the Council of the City of Rochester, held in the City Hall, on **May 23, 2023**, a resolution was **Adopted**, of which the following is a true copy; and at the time said resolution was adopted, the Council consisted of Nine (9) members.

Resolution No. 2023-13

Resolution for the purpose of a Home Rule Message regarding State legislation in relation to granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore

Requesting the Senate and the Assembly of the State of New York pursuant to Article IX of the New York State Constitution to enact into law certain legislation in relation to granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore.

WHEREAS, the legislation above would be beneficial to the people of Rochester and the City of Rochester does not have the power to enact such legislation by local law.

BE IT RESOLVED, by the City Council of the City of Rochester that said Council hereby requests that the Senate and the Assembly of the State of New York, constituting the New York State Legislature, enact the legislation set forth in the following bill entitled:

AN ACT granting retroactive membership in the New York state and local employees' retirement system to Justin Whitmore

Being Senate Bill No. S. 6788 and Assembly Bill No. A. 6706.

This resolution shall take effect immediately.

Adopted by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest *Hazel Washington*
City Clerk



City of Rochester

City Clerk's Office

Certified Resolution

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that at a meeting of the Council of the City of Rochester, held in the City Hall, on **May 23, 2023**, a resolution was **Adopted**, of which the following is a true copy; and at the time said resolution was adopted, the Council consisted of Nine (9) members.

Resolution No. 2023-14

Resolution for the purpose of a Home Rule Message regarding State legislation authorizing the City of Rochester to convey to the Rochester Pure Waters District an easement in Genesee Valley Park for installation and maintenance of sanitary sewer facilities

Concurring in the request by the Mayor of the City of Rochester to the Senate and the Assembly of the State of New York pursuant to Article IX of the New York State Constitution to enact into law certain legislation in relation to the conveyance of an easement to install and maintain a sanitary sewer main in Genesee Valley Park.

WHEREAS, the legislation above would be beneficial to the people of Rochester and the City of Rochester does not have the power to enact such legislation by local law.

BE IT RESOLVED, by the City Council of the City of Rochester that said Council concurs in the request of Malik D. Evans, Mayor of the City of Rochester, to the Senate and the Assembly of the State of New York, constituting the New York State Legislature, that said Legislature enact the legislation set forth in the following bill entitled:

AN ACT in relation to authorizing the city of Rochester to convey by appropriate instruments to the Rochester Pure Waters District, an easement in Genesee Valley Park, for installation and maintenance of sanitary sewer facilities.

Being Senate Bill No. S. 6610-A and Assembly Bill No. A. 6724.

This resolution shall take effect immediately.

Adopted by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith - 9.

Nays - None - 0.

Attest

A handwritten signature in blue ink that reads "Hazel Washington". The signature is written in a cursive style and is positioned above a horizontal line.

City Clerk