

**Proposed Legislation for the  
September 19, 2023 City Council Meeting -**

**\* \* Please Note \* \***

**For questions, call the City Clerk's Office at 585-428-7421**



**City of Rochester**

City Hall Room 308A, 30 Church Street  
Rochester, New York 14614-1290  
www.cityofrochester.gov

**PARKS & PUBLIC WORKS  
INTRODUCTORY NO.**

**344,345**

**Malik D. Evans**  
Mayor

DES 01

August 29, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – M/E Engineering, P.C. – The  
Honorable Loretta C. Scott Center for Human  
Services Building Automation System

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to The Honorable Loretta C. Scott Center for Human Services Building Automation System Project. This legislation will:

1. Authorize the issuance of bonds totaling \$156,000 and the appropriation of the proceeds thereof to finance the cost of engineering design services of the Project; and
2. Establish \$156,000 as maximum compensation for a professional services agreement with M/E Engineering, P.C. (John A. Dredger, C.E.O., 300 Trolley Boulevard, Rochester, NY), for engineering design services.

The Project will be funded as follows:

Source of Funds	Design	Construction	Total
Bonds authorized herein	\$156,000		\$156,000
Bonds to be authorized in future legislation		\$1,035,000	\$1,035,000
<b>Total</b>	<b>\$156,000</b>	<b>\$1,035,000</b>	<b>\$1,191,000</b>

The Project includes maintenance, updates and expansion of the existing facility’s electronic building management system. The project will include replacement of actuators, pneumatic systems, pneumatic control valves, damper operators and control system, as needed, to meet the building requirements.

M/E Engineering, P.C. was selected for preliminary design, final design, bid and award and construction administration services through a request for proposal process, which is described in the attached summary.

Design is anticipated to begin in fall 2023. Construction is anticipated to begin in fall 2024. The professional services agreement will result in the creation and/or retention of the equivalent of 1.7 full-time jobs.



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

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'M. Evans', with a long horizontal flourish extending to the right.

Malik D. Evans  
Mayor

### Vendor / Consultant Selection Process Summary

**Department:** Architectural Services

**Project / Service Title:** The Hon. Loretta C. Scott Center for Human Services Building  
Automation System

**Consultant Selected:** M/E Engineering, P.C.

**Method of selection:**  Request for Proposal [*Complete 1-7*]  
 Request for Qualifications [*Complete 1-7*]  
 From the NY State Department of Transportation list of pre-approved regional engineering firms [*Complete 4-7*]

1. **Date RFP / RFQ issued** (and posted on City web site): April 3, 2023
2. **The RFP / RFQ was also sent directly to:** See attached consultant email/mailling list

**3. Proposals were received from:**

<u>FIRM</u>	<u>CITY/ST</u>
Clark Patterson Lee	Rochester, NY
Hunt EAS	Rochester, NY
LiRo Engineers, Inc.	Rochester, NY
M/E Engineering, P.C.	Rochester, NY

**4. Evaluation criteria:**

<u>Criteria</u>	<u>Weighting</u>	<u>Points possible</u>	<u>Actual Points received by FIRM</u>
<i>Firm Experience</i>	10%	10	8
<i>Approach</i>	40%	40	32
<i>Staff Qualifications</i>	50%	50	34
<i>Cost NA – Quality based Selection</i>		<u>00</u>	<u>00</u>
<b>SUBTOTAL</b>		100	74

<u>Bonus Points</u>	<u>Max Points Possible</u>	<u>Actual Points received by FIRM</u>
City business: 10% of total	.10 x 100 = 10	
Prime is an MWBE: 10% of total	.10 x 100 = 10	
Prime uses 10% - 20% MWBE subs	.05 x 100 = 5 or	5
Prime uses 20%+ MWBE subs	.10 x 100 = 10	
Workforce goals for M & W met	<u>.10 x 100 = 10</u>	
<b>BONUS POINTS SUBTOTAL</b>	<i>Max BP = 40</i>	<u>Actual BP = 5</u>

Total = *Actual points* + *Actual BP* = 79

5. **Review team included staff from:** DES – Arch Services (3), DES - Building Services (2)
6. **Additional considerations/explanations:** N/A

7. MWBE Officer has reviewed the recommended firm's proposal for MWBE and Workforce goals: MWBE Officer Initials: SMD for SJS Date: 7/20/2023



**55-57 St. Paul Street**

**The Honorable Loretta C. Scott Center for Human Services Building Automation System**

**Project Location Map**



Map Not To Scale

**INTRODUCTORY NO.**  
**344**

Ordinance No.

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$156,000 Bonds of said City to finance the Honorable Loretta C. Scott Center for Human Services Building Automation System Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of the Honorable Loretta C. Scott Center for Human Services Building Automation System Project to maintain, update and expand the existing electronic management system, including actuators, pneumatic systems, pneumatic control valves, damper operators and controls, for the building located at 55-57 St. Paul Street (collectively, the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,191,000. The plan of financing includes the issuance of \$156,000 in bonds of the City, which amount is hereby appropriated therefor, \$1,035,000 from future bonds to be authorized from General Debt allocated to the Project for future fiscal years in the City's 2023-24 to 2027-28 Capital Improvement Program, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$156,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$156,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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



**INTRODUCTORY NO.**

**345**

Ordinance No.

**Authorizing an agreement for the Honorable Loretta C. Scott Center for Human Services Building Automation System Project**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with M/E Engineering, P.C. to provide design and construction management services for the Honorable Loretta C. Scott Center for Human Services Building Automation System Project (the Project). The maximum compensation for the agreement shall be \$156,000, which shall be funded from the proceeds of City bonds authorized in a concurrent ordinance. The term of the agreement shall continue to three months after completion of a two-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.



## City of Rochester

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Rochester, New York 14614-1290  
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## PARKS & PUBLIC WORKS INTRODUCTORY NO.

346

Malik D. Evans  
Mayor

DES 02

August 29, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – LaBella Associates, D.P.C. –  
Rundel Library Elevator Modernization

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation establishing \$200,000 as maximum compensation for a professional services agreement with LaBella Associates, D.P.C. (Steven Metzger, CEO, 300 State Street, Rochester, NY), for architecture and engineering services for the Rundel Library Elevator Modernization Project. The cost of the agreement will be financed with 2021-22 Cash Capital.

The Rundel Library, built in 1936, includes a total of five elevators (not including the loading dock lift) of various manufacturers, types, ages, and condition. The Project will include the evaluation planning, and cost estimates for modernization of all elevators, and design and construction oversight for the modernization of the main lobby elevator. The main lobby elevator is the primary public passenger elevator for the building. Antiquated elevator components are no longer commercially available, which led to an extended closure for repairs in 2022 and as such, has been prioritized as most urgent due on public accessibility and library operational needs.

LaBella Associates, D.P.C. was selected based on the their qualifications and knowledge of this specific building and related building systems, work on parallel projects already underway within the facility, and the urgency to move quickly on design and construction. A full justification for not issuing a request for proposal is attached.

Design is anticipated to begin in fall 2023. Construction is anticipated to begin in summer 2024. The professional services agreement will result in the creation and/or retention of the equivalent of 2.2 full-time jobs.

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

Respectfully submitted,

Malik D. Evans  
Mayor



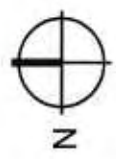


**115 South Avenue**

**RUNDEL LIBRARY ELEVATOR  
MODERNIZATION OR REPLACEMENT**

**Project Location Map**

**Map Not To Scale**



## NO RFP JUSTIFICATION STATEMENT

### Awarding a Professional Services Agreement Without a Request for Proposals (RFP)

The Procurement of Professional Services Policy (Ord. No. 2023-93) requires an RFP to be issued under most circumstances. If it is determined that an RFP will not be issued, this form must be completed, signed by the Department Head, and kept on file (electronically or hard copy). It must also be submitted:

1. To City Council as an attachment to the transmittal letter for any PSA that exceeds \$20,000; and
2. To the contract record when entered in Munis.

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**Department:** Environmental Services (DES)      **Services(s):** Architectural and Engineering Services

**Project:** Rundel Library Elevator Modernization

**Vendor/Consultant selected:** LaBella Associates, D.P.C.

#### How was the vendor selected?

LaBella Associates, D.P.C., has been selected to to be recommended for this project without issuance of an RFP for a Professional Services Agreement based on the their qualifications and knowledge of this specific building and related building systems, work on parallel projects already underway within the facility, and the urgency to move quickly on design and construction.

The proposal received from LaBella Associates, D.P.C. was thorough, included a well thought out project approach, included key personnel and showcased the need to utilize a sub-consultant (Gannett Fleming) to provide specialized subject matter expertise needed for this important project.

#### Why was no RFP issued for this service?

An RFP for a Professional Services Agreement for this project has not been issued in consideration of the following:

- LaBella Associates, D.P.C. is currently working on two other projects at the Rundel Library as a result of two separate competitive request for proposals: Rundel Library Exterior Building Repairs (sub-consultant) and Rundel Library Filtration and Intake Air Upgrades (consultant). There are efficiencies on numerous levels for both City and Library staff in working with the same consultant on all three projects. The consultant is already familiar with the building systems, and coordination, scheduling, and communication between staff and consultants and contractors will be streamlined across all three projects.
- The sub-consultant, Gannett Fleming, is a specialized sub-consultant in the field of vertical transportation and represents the majority of the design fee (\$104,000).

Gannett Fleming was the sub-consultant used on the Rochester Riverside Convention Center Escalator Replacement and bring specialize expertise that will assure a high quality design, and related oversight on construction and commissioning.

- Proceeding with a request for proposals will delay the start of the project by many months and exacerbate ongoing elevator service issues. This project is being accelerated to address safety and access upgrades and ongoing issues with the main Lobby Elevator being out of service for extended periods of time, including for several months in 2023, due to the need for antiquated / unavailable parts.

**Compensation Amount:** \$200,000

**How was this determined?**


A detailed scope and cost proposal was requested by the City, received, and negotiated with the consultant.

**The MWBE Officer has reviewed the proposed Agreement for MWBE and Workforce goals.**

MWBE Officer Initials: SMD Date: 7/31/2023  
For S.J.S.



Signature: Department Head



Date

**INTRODUCTORY NO.**

346

Ordinance No.

**Authorizing an agreement for the Rundel Library Elevator Modernization Project**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates, D.P.C. to provide architectural and engineering services for the Rundel Library Elevator Modernization Project (Project). The maximum compensation for the agreement shall be \$200,000, which shall be funded from 2021-22 Cash Capital. The term of the agreement shall continue to 3 months after completion of the two-year guarantee inspection the Project.

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

Section 3. This ordinance shall take effect immediately.



August 29, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: Genesee Street Reconstruction Project  
(Elmwood Avenue to Brooks Avenue)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the Genesee Street Reconstruction Project. This legislation will:

1. Authorize a change in the direction of traffic flow on Congress Avenue between Genesee Street and Custer Street from two-way to one-way westbound. This one-way conversion has been temporarily in place since December 2022 as an interim safety measure recommended by Monroe County Department of Transportation until such a time that it can be formalized within the design and construction of the project; and,
2. Authorize changes in pavement width on Genesee Street to implement traffic calming measures such as curb bumpouts and install a shared use path along with a two-way cycle track as follows:
  - A. A decrease from the existing variable pavement width of approximately 63 feet to 37 feet to a proposed variable pavement width of 47 feet to 24 feet, beginning at Scottsville Road / Elmwood Avenue and continuing northward approximately 450 feet; and,
  - B. A decrease from the existing pavement width of 36 feet to a proposed variable pavement width of 24 feet to 30 feet, beginning approximately 450 feet north of Scottsville Road / Elmwood Avenue and continuing northward to Grandview Terrace; and,
  - C. A variable change in the existing pavement width of 36 feet to a proposed variable pavement width of 26 feet to 38 feet, beginning at Grandview Terrace and continuing northward to Terrace Park; and,
  - D. A decrease from the existing variable pavement width of approximately 40 feet to 49 feet to a proposed variable pavement width of 32 feet to 44 feet, beginning at Terrace Park and continuing northward to Brooks Avenue / South Plymouth Avenue.
3. Authorize the acquisition and transfer of property takings from the State of New York to the City of Rochester.



The properties that the New York State Department of Transportation is acquiring and transferring to the City of Rochester are summarized as follows:

- A. New York State Department of Transportation is performing property takings for the Project. The property takings for ROW dedication are needed to accommodate new sidewalk and curb ramps. Property acquisition information is as follows:

Reputed Owners	Property Address	Tax Account No.	Acquisition Type	Acquired Area (SF) +/-
Castle Town Development	1125 Genesee Street	135.42-3-16	Permanent Easement	96
Castle Town Development	1125 Genesee Street	135.42-3-16	Temporary Easement	397
Brooks Super Store Inc.	973-985 Genesee Street	135.34-3-21	Permanent Easement	48

- B. New York State must hold onto the permanent easement for three (3) years, after which they can begin a process which involves the NYS Attorney General's Office drafting a deed to transfer the easements from the State of New York to the City of Rochester.

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

This is a Federal Aid project administered by the City under agreement with the New York State Department of Transportation (NYSDOT).

The project includes, but is not limited to, pavement reconstruction, curbs, sidewalks, curb ramps, catch basins, manhole frames and covers, water main, water services, water anodes, hydrants, street lighting, signal upgrades, signage, tree plantings, the addition of bicycle facilities, and other various streetscape improvements. These improvements will enhance traffic safety and efficiency, improve the surface drainage and riding quality of the roadway, improve accessibility for all users, and enhance the streetscape.

The changes will be in compliance with the City's Complete Streets Policy whereas the streets will enable safe access for all users; pedestrians, bicyclists, transit users, persons with disabilities, and motorists of all ages and abilities are able to safely move along and across City streets.

Construction is anticipated to begin in spring 2024 and be substantially complete in late 2025.

Public meetings were held on February 8, 2023, February 9, 2023, and July 19, 2023. A copy of the meeting minutes are attached. The pavement width and traffic flow changes are anticipated to be endorsed by the Traffic Control Board at their September 6, 2023 meeting.

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

Respectfully submitted,



Malik D. Evans  
Mayor



# Genesee Street Reconstruction Project

Genesee Street - Elmwood Ave to Brooks Ave

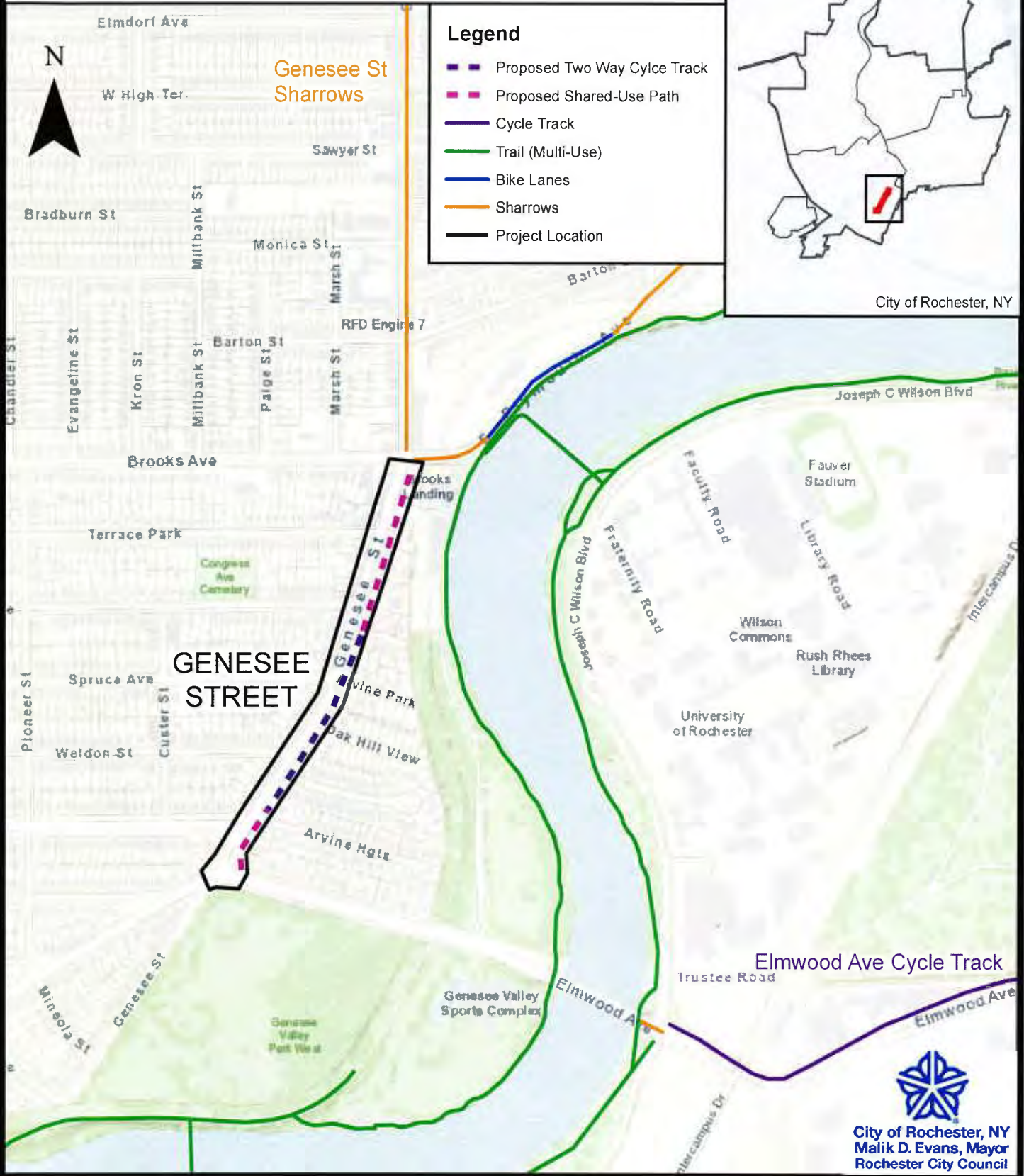
DES 03



City of Rochester, NY

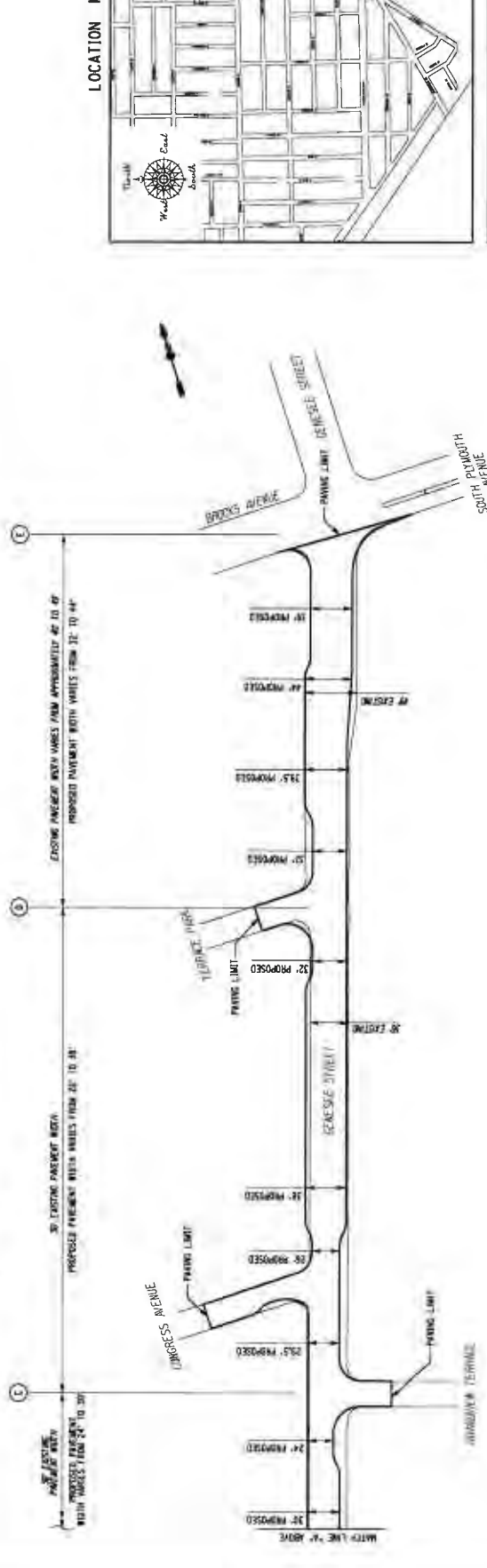
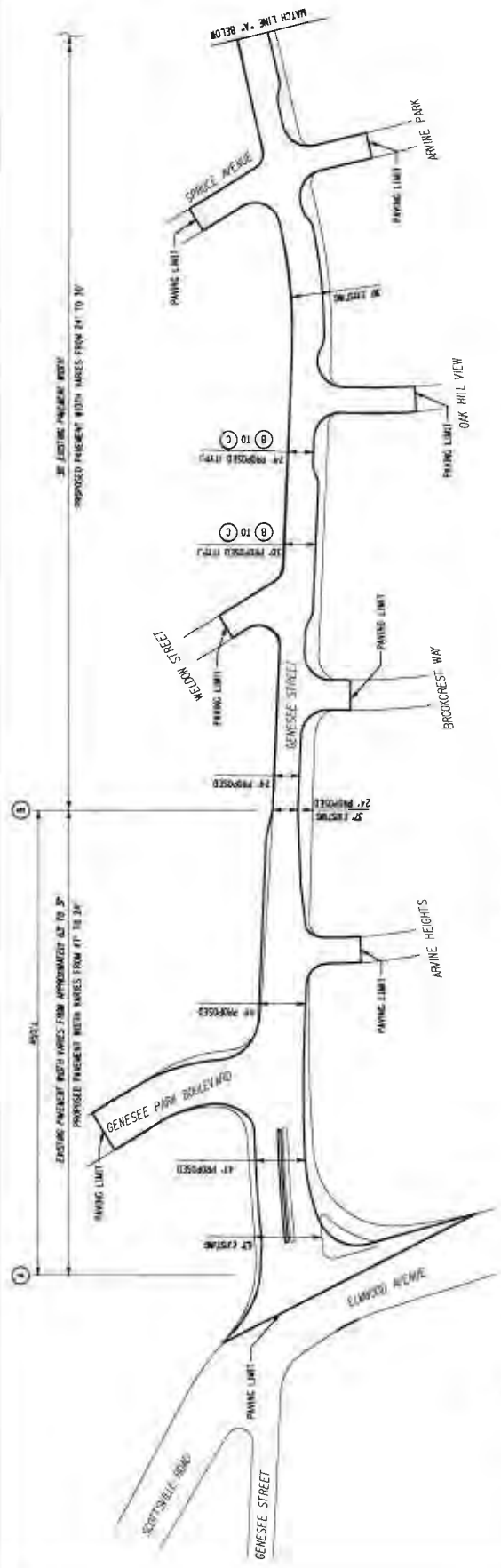
## Legend

- Proposed Two Way Cycle Track
- Proposed Shared-Use Path
- Cycle Track
- Trail (Multi-Use)
- Bike Lanes
- Sharrows
- Project Location



City of Rochester, NY  
 Malik D. Evans, Mayor  
 Rochester City Council

DES 03



LOCATION MAP



**GENESEE STREET  
RECONSTRUCTION PROJECT**  
PAVEMENT WIDTH CHANGES  
JULY 2023



## Meeting Notes

### Virtual Public Meeting #1

Project/File: 192800220  
 Date/Time: February 8, 2023 / 5:30 PM  
 Location: Zoom  
 Next Meeting: February 9<sup>th</sup> 2023  
 Attendees: Donna Clements (City of Rochester)  
 Dominic Fekete (City of Rochester)  
 Charles Reaves (City of Rochester)  
 Karlee Danek (NYSDOT)  
 Sean Miller (Stantec)  
 Jim Hoffman (Stantec)  
 Olivia Perrins (Stantec)  
 Douglas Kelley  
 Elizabeth McDade  
 Henry Litsky  
 Ian Benz  
 John Lam  
 Joann Kane-DeMott  
 Jesse Peers  
 John Boutet  
 Kelly Hanson  
 Mike Bulger  
 Marian Boutet  
 Mark Robbins  
 Sara Jenks  
 Sean Wilson-Leslie  
 Shawn  
 Tracey Austin (University of Rochester)

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#### Introductions:

Sean Miller introduces City of Rochester Team, Municipal Liaisons, and Design Consultants.

#### Presentation

##### Project Limits:

Scottsville Road / Elmwood Avenue to Brooks Avenue / South Plymouth Avenue

##### Proposed Work:

Full Depth pavement reconstruction with asphalt pavement, pavement narrowing at north and south ends of limits, pavement widening (depending on preferred alternative) between Genesee Park Boulevard and Terrace Park, new granite curbs, sidewalks, street lighting, traffic signs, traffic signals, pavement markings,

Design with community in mind

partial water main replacement, service renewals on all lead / galvanized water services, tree removal and replacement, and misc. landscape appurtenances.

Advertisement expected in Fall of 2023 pending ROW acquisition.

Comment- Local Resident

Mike Bulger 05:44 PM: This may be answered later in the presentation, but will the removed trees be replaced by new trees or other amenities that provide shade and improve the pedestrian experience?

- Donna: Yes, they will. In accordance the Complete Streets policy as well as the Mayor's tree planting initiative.

Comment- Local Resident

Kelly Hanson 05:52 PM: Does the Arvine Heights/Elmwood intersection plan increase bike safety at all? Right now, if you bike there on the road you have a death wish (as a cyclist myself). The main change seems to be increasing the lane to 11', and wider lanes only make drivers drive faster.

- Donna: The 11' travel lanes are required because of the traffic volumes. Busses, trucks, accident patterns are showing sideswipes which is a factor of the existing narrow lanes. The curb bump outs will help to visually narrow the corridor so that people will slow down.
- Sean: Because of the classification of the corridor being on the National Highway System, increasing the lane to 13' meets the minimum requirement.
- Donna: It's not the 5' lanes that everyone would prefer.
- Sean: Because of the morning/evening commutes and the traffic volume, the lane widths are important.
- Dave: You are eliminating the right turn only lane turning right onto Genesee St. in the south, so now instead of 3 lanes there are only 2.
- Donna: Removal of the slip ramp and the right turn lane allow for the development of the sharrows.
- Sean: Slip ramp had caused several accidents, so removal of it helps with safety.

Comment- Local Resident

Sara Jenks 06:01 PM: Hello, I am sorry I must leave early. I am a City resident and wanted to share my thoughts for this project. I hope the City incorporates the "focus on transportation justice" as laid out in the ATP Existing Conditions report from December 2022. This project must prioritize high quality, consistent infrastructure for pedestrians, transit users, and bikes in every section of the corridor. Sharrows are unacceptable.

- Donna: We do have to prioritize high quality consistent infrastructure, but do have to accommodate all users, cyclists, pedestrians, transit users and vehicles. It is for that reason we cannot put dedicated bike lanes especially at the north end. This would cause sidewalks to become very narrow, 7' is minimum which is very uncomfortable as a pedestrian, and we also must maintain a tree lawn.
- Dave: Reference to draft transportation plan that is still being reviewed and finalized.

Comment- Local Resident

JoAnn Kane-DeMott 06:03 PM: Will you leave large scale drawings at the NSC? Will your slides be on the City web site?

- Donna: We are having an in person meeting tomorrow, everything will be printed out. The presentation and all the graphics will be posted on the city's website. We will have scrolls but not a significant amount kept at the NSC.

Can you do simulations for Level of Service (LOS) for alternatives?

- Sean: We have run through all the alternatives and have done a Level of Service analysis. The right turn lane with the adjacent thru lane or left turn lane will increase the vehicle loss but not enough to where it throws the level of service into a detrimental category.

Big neighborhood concern comes from residents on side streets, trying to exit at drive times. Any thoughts?

- Donna: The curb extensions will help keep people from parking right up close to the intersection which makes it hard to be able to see if anyone is coming down the road. Also, public input is important for all the corridor, so it is important we receive everyone's input. Curb bump outs and street trees will help people to slow down.

Comment- Local Resident

Elizabeth McDade 06:04 PM: <https://canopy.org/tree-info/benefits-of-trees/urban-trees-and-climate-change/>  
Sending as an FYI

Comment- Local Resident

Alison Thompson 06:07 PM: How bad will it be for anyone living on the dead-end roads to pull out in either direction during the 1 1/2 year of construction? I think this project is needed, just curious.

- Sean: It will be bad for that 1.5-year period, but as we progress in the design we will try to lay things out to minimize impact to the residents.
- Preliminarily proposing a one-way detour.
- Construction details will be determined in the final design period.

Comment- Local Resident

Dr. Dan DeMarle (he/his/him) 06:07 PM: Biking this road regularly, what is most dangerous is when the biker cannot maintain a consistent line. That happens in different sections due to parked cars etc. Is there a way to have a consistent biking line. What is also particularly dangerous is the intersection going north at Genesee and Arnett. Is that being addressed? and how?

- Sean: The intersection of Genesee St and Arnett is outside of the project limits.

Comment- Local Resident

Douglas Kelley 06:08 PM: How do you reconcile this proposal to install just four blocks of disconnected bike lanes with the draft Active Transportation Plan which emphasizes long, connected bike infrastructure, and specifically proposes that Genesee should be the north-west corner for the west side of the city, which doesn't now have such a corridor at all? How do you reconcile to the Rochester 2034 plan, which proposes active transportation after overwhelming public input it its favor? These proposals are at odds with the City's stated goals and priorities.

- Donna: This project is consistent with complete streets, which accommodates all users.
- David: The ATP does emphasize trying to create a spine network, create comfortable corridors and help to traverse the city in each direction. We hear the concerns about more continuous bike infrastructure and can certainly continue looking at.
- Donna: We do have the Genesee River Trail adjacent as well. Everywhere where the streets could connect with the trail the streets do.

Comment- Local Resident

Sean Wilson-Leslie 06:10 PM: When was it decided that meeting parking demand would take priority over having continuous separated bike paths? Maybe I'm misunderstanding the proposals here, but it seems like we sacrifice a lot of footage to get cars parked on both sides of the road. Are there proposals that trade parking along the whole road?

- Donna: There is a high demand for parking at the north end, business owners require that parking for their customers, also there is a demand for residential parking. In the middle section it was not at as high of a demand, so we eliminated parking on one side. Where we could eliminate parking we did, and that's how we ended up with the two bike lanes.

Comment- Local Resident

Tracey Austin 06:10 PM: Hello, as a city resident and UR transportation employee, I appreciate you taking our questions. I agree that safety should be number one priority. And for all users. As a cyclist and pedestrian, I think the proposal options that shift from bike lanes to disappearing bike lanes/sharrows is very unsafe. While I appreciate the need for parking up near Brooks Landing, it seems a more continuous bike lane could be accomplished if on-street parking was omitted. Since this should be a shared space. There are many lot options and side street options to park. Thanks!

- Donna: Dually noted, one of the business owners' primary concerns is "what are you doing to the parking in front of my business," and it is shown in the parking study and the utilization rates.
- Sean: people will park in the bike lanes and the sidewalks if you remove all parking, people will just park there anyway. People will drive up the curb ramps and park on the sidewalk.

Comment- Local Resident

Kelly Hanson 06:11 PM

Thanks for recognizing the importance of bike lanes and street trees. So no bike lanes in Elmwood/Arvine. But will the bike lanes for the final project be contiguous along the rest of the corridor? Contiguity is important for safety & usability.

- Donna: We do have dedicated bike lanes where we can and sharrows everywhere else.

Comment- Local Resident

James Dietz 06:13 PM: In designs where there is both street parking and bike lanes - were any designs that swap their spots considered, thereby creating "parking" protected bike lanes? It might not be preferred type of protection but I'm curious if a design like that was considered.

- David: This is showed in one of the cycle track alternatives, moving parking lane adjacent to the travel lane.
- Sean: We briefly looked at that, but the bigger issue came with side street spacing and weaving the bike lanes back and forth between.

Comment- Local Resident

Douglas Kelley 06:13 PM: If walking on a 7-foot sidewalk is uncomfortable as a pedestrian, consider the feeling of biking amidst speeding motorists, without even having a dedicated lane. Sharrows do not enable equitable transportation.

- Donna: Sharrows not preferred but are an acceptable accommodation for bicycles.

Comment- Local Resident

Ian Benz 06:14 PM: Sharrows create a false sense of security for cyclists and expose them to aggressive drivers. Accompanying wider lanes with sharrows will make cyclists less safe than they already are.

Comment- Local Resident

John Lam 06:16 PM: Hi David. Hi Sean & Donna, have you considered asymmetric StreetMix? The NACTO guides do feature them, especially for bike lane uphill/downhill directions. Uphill slower speeds, for example, would force plenty of cars to pass on a shared-use lane, but cycling downhill higher-speed shared-use works better.

Regarding the segment of South Plymouth through Genesee Valley Park, Jeff Mroczek was the project manager. The City did yield the street to parkland and a permanent one-way conversion.

- Sean: we looked at this, the biggest issue was the high demand parking area between Congress and Terrace. Also, the biggest downfall is losing street trees, which create traffic calming.

Comment- Local Resident

Elizabeth McDade 06:21 PM: Part of the traffic problems on Genesee (which is a small street) came about because Plymouth Ave. was closed when the Staybridge was built. At one point, there was two-way access, albeit not terrific, and then a few years ago it became one way only. Making that a truly ACTIVE and safe bike route may solve the problem!

- Donna: Agreed, we will investigate that, the city has many projects along the river and the development team is always looking to increase walkability and bikability in the City of Rochester.

Comment- Local Resident

Kelly Hanson 06:22 PM: It seems that at times, parked cars are being prioritized over bikes. Is that the city we want to continue to create? We have no shortage of parking in Rochester.

- Donna: It is a multimodal corridor, so we do have to take all transportation methods into consideration.

Comment- Local Resident

John Boutet 06:23 PM: Could you try to divert bike travel to the bike trail along the river?

- Donna: We did talk about that and increase signage and wayfinding, will try to incorporate that into our final design.

Comment- Local Resident

Elizabeth McDade 06:23 PM: The Genesee Riverway is also a PEDESTRIAN path and that does not make for a happy marriage between bikes and people.

- Donna: Can't disagree with that.



Comment- Local Resident

Dr. Dan DeMarle (he/his/him) 06:24 PM: Genesee St. has a very nice feel around Melrose St. I think because of older trees all the same species. Could that feel be repeated?

- Donna: We will look at the species of trees that are planted and moving forward having a robust tree infrastructure is important.
- The final tree selection has not been made yet.

Comment- Local Resident

Douglas Kelley 06:30 PM: From your study, the average parking utilization rates are low. In places where average rates are just 50%, why not reduce allocated parking by 50%? Even the busiest section averaged just 70% — typically every third space is open. It seems the side streets could easily accommodate the necessary parking.

- Donna: We will have to develop a response and our explanation for parking and why we chose what we did.
- The project design reviewed the parking study to modify the on-street parking capacity of Genesee Street to meet the demand for on-street parking without pushing excess demand to the adjacent side streets.

Comment- Local Resident

Ian Benz 06:33 PM: Have you considered elevating the existing pedestrian crossings, so drivers are forced to slow down at these intervals?

- Donna: We are looking at that at Congress Ave, we don't raise crosswalks at all the side streets but are investigating there.

Comment- Local Resident

Jesse Peers 06:33 PM: Toole Design as part of the ATP, is recommending ROC make a fundamental shift in thinking & implementation: concentrating political will on FEWER but higher quality, \*continuous\* bike facilities. They have recommended Genesee/Brown/Saxton/Dewey as \*THE\* n-s route the City should invest in on the west side. Sharrows on arterials do not create a bike network and for the overwhelming majority of people are a lost cause. If the City doesn't see this corridor as the high comfort, continuous n-s connection on the west side, will DES propose a different continuous n-s bikeway on the west side?

- The Active Transportation Plan (ATP) is still being developed by the City and the draft recommendations have not been fully vetted yet. The design team will review the ATP to see how we may be able to incorporate the draft recommendations into the proposed project.

Comment- Local Resident

Shawn 06:33 PM: If the concern is traffic volume and side swipe accidents. We should be lowering the speed of vehicular traffic by narrowing lanes not widening them! Give more room to bike and foot traffic.

- Donna: Corridor being used by busses and trucks in additions to cars, and the narrowing of the lanes contribute to sideswipes of cyclists.

Comment- Local Resident

Sean Wilson-Leslie 06:40 PM: Hi, recent U of R grad, settling down in Rochester now that I work here. sacrifices for parking feels like enabling a car addiction instead of enforcing "don't park on the sidewalk". I would love some explanation as to why stricter enforcement is an insufficient solution to misbehaving. Thanks again, coming from Philadelphia I can easily believe that people will use the sidewalk as a parking spot!

- Donna: Cannot speak to stricter enforcement but can investigate it. We try to keep people off the sidewalk, but it is difficult.

Comment- Local Resident

Shawn 06:41 PM: What is the size of the replacement trees? I like the full-size tree in my front yard.

- Sean: Tree size will be finalized during final design; it is not going to be full sized tree as it is out there today. We have been trying to get trees at a larger caliper than typical, but at the same time comes down to a supply chain and have issues finding trees of that size.
- Donna: There is a large opportunity to regreen the corridor and propose more trees than currently exist. We are going to try to keep as many as we can that are healthy and not posing a safety hazard, and when we can't, we will replace them with approx. 3-4" caliper trees.

Presentation will be live on Friday with the slides and any renderings that we have. Once we begin final design, we will have another public information meeting to let you know where we are and gathering your thoughts.

Project Schedule:

Virtual Public Information Meeting	February 8 <sup>th</sup> , 2023
In-Person Public Information Meeting	February 9 <sup>th</sup> , 2023
Design Approval:	March 2023
ROW Acquisition:	Now – Fall 2023
Final Design:	Feb. 2023 – Aug. 2023
Advertisement / Award:	Fall 2023 – Winter 2023/2024
Construction:	Spring 2024 – Fall 2025

The meeting adjourned at 6:45 PM.

The foregoing is considered to be a true and accurate record of all items discussed. If any discrepancies or inconsistencies are noted, please contact the writer immediately.

Respectfully,

**STANTEC CONSULTING SERVICES INC.**



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## Meeting Notes

### In-Person Public Meeting #1

Project/File: 192800220  
Date/Time: February 9, 2023 / 6:30 PM  
Location: SWNSC, 923 Genesee Street, Rochester NY 14611  
Next Meeting: February 9<sup>th</sup> 2023  
Attendees: Donna Clements (City of Rochester)  
David Riley (City of Rochester)  
Sean Miller (Stantec)  
Jim Hoffman (Stantec)  
Olivia Perrins (Stantec)  
Scott Beck (Resident, Property Owner)  
Dylan Weich (Resident)  
Aaron Weiner (Resident)  
Dan Serionni (Resident)  
Adrian Martin (Resident)  
Henry Litsky (Resident)  
James Dietz (Reconnect Rochester)

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### Introductions

Donna Clements introduces the presenter, Sean Miller, and Stantec employees Jim Hoffman and Olivia Perrins, mentions David Riley will be coming in later.

### Presentation

#### Project Limits:

Scottsville Road / Elmwood Avenue to Brooks Avenue / South Plymouth Avenue

#### Proposed Work:

Full depth pavement reconstruction with asphalt pavement, pavement narrowing at north and south ends of limits, pavement widening (depending on preferred alternative) between Genesee Park Boulevard and Terrace Park, new granite curbs, sidewalks, street lighting, traffic signs, traffic signals, pavement markings, partial water main replacement, service renewals on all lead / galvanized water services, tree removal and replacement, and misc. landscape appurtenances.

Advertisement expected in Fall of 2023 pending ROW acquisition.

Comment- Local Resident

Is Congress Ave going to stay as a one-way street? He has noticed that the traffic has gotten significantly better since it became a one-way street. Currently a temporary one-way.

- Sean: Will check with City to see plans for this and possibility of making it permanent.

Comment- Local Resident

The residents' scariest moments have been on the area from Scottville Rd. turning onto Genesee St, people drive fast and its dangerous for those walking and biking. It is not a tight turn so it allows people to drive faster. His thought is - could the west edge of the intersection have a curb bump out more than it currently is, or use a raised intersection?

- Sean: We can look at the current curb radius but tabling the intersection is off of the table because of the City's laws on arterial roads.
- Resident: Mentions issues crossing Genesee St.
- Donna: We can see what other municipalities are doing, NYS DOT highway design manual hasn't been updated in a while in terms of the raised crosswalks. I don't believe there are any city ordinances that say we can't, so public input could help sway.

Comment- Local Resident

Resident says that it was mentioned you would have to look at the feasibility of crosswalks, what would be infeasible about painted crosswalks?

- Sean: Monroe County has certain criteria that must be met to get one, must be a ped count and more data collection.

The county is responsible, and issues keep coming up, question of safety is always the main issue, what constitutes safety?

- Donna: County is in favor of flashing cross beacons. Crosswalks can sometimes become a safety hazard with cars not stopping for pedestrians even if there is a painted crosswalk.

Issues along side streets without crosswalks, why can't all side streets have crosswalks?

- Sean: Mentions that the traffic volume comes into play on side streets, and vehicle traffic amounts.
- Donna: Asks is there a specific side street?
  - Response: Congress, but Terrace Park is the first cross street coming from the footbridge from the Genesee River Trail.
- Sean: Spruce Ave, and Arvine Park may make more sense because it is the next street south of Congress, this could capture students' pedestrians from multiple streets
  - Donna mentions that people can just walk up to Brooks Ave if they want to cross Genesee St from that area.
    - A different resident chimes in and says that some people do not want to walk past the mini mart or Millennium Deli and that people avoid crossing there.
- Donna: We will look at additional crossings and make it part of our final design conversation.

Comment- Local Resident

Where is there going to be shared lanes, and widening? Don't wide lanes make vehicles drive faster?

- Because of corridor being arterial and that we must look at state standards, if the truck volume wasn't so high, we could stick with the 10' lanes, but because of the truck volume we must maintain a certain width. Genesee St. is not part of qualifying highway system, so it falls into another category, min is 11' desirable is 12'.
- Donna: Talks about how making lanes thinner doesn't necessarily make people drive slower, but with 13' shared lanes we can still accommodate for bikes as a driver.
- County law is that you must have 3' to pass a cyclist

Comment- Local Resident

Would we be widening the lanes between Terrace Park and Congress Ave? How much wider?

- Sean says the existing width is 36' and we would be widening to 42'
- Resident: In current condition, when you park you must doublecheck to make sure you don't hit a biker with your car door, there's not enough room.
- Sean: A curb bump out will also help, as people see the pavement narrow it creates a traffic calming effect to counteract increasing traffic speeds.
- Donna: Street trees will also help the traffic calming effect.
- Resident: Street trees won't be able to help for 20 years.
- Donna: Street trees create a long-term effect but won't help immediately, we also must think about the future of the corridor.
- Jim: Through other projects in Rochester, we have learned about tree science and specifics to help trees grow quicker, provides other examples of projects in the city. It is a combination of many factors that play into an overall traffic calming effect.

Comment- Local Resident

What was the purpose for taking away parking on the West side of Genesee St. between Congress Ave and Spruce Ave?

- Sean: All parking would be removed on West side. The parking along the road curve after Spruce Ave hinders overall sight distance down Genesee St. Moving all parking to one side is the better option on the east side versus the west side of the street based on the utilization rate of street parking that we analyzed in our data collection.

Comment- Local Resident

What were the traffic models used to collect data?

- Sean: We would gather the data and use Synchro to analyze it. The county provided data collection times, we would send employees out into the field and run it all together.

Comment- Local Resident

Wondering about the construction timeline, what does a year and a half of construction really mean? Owns several properties along Genesee St and Congress Ave, most of his tenants are students who utilize street parking.

- Sean: The final design is when we will determine what happens with the road during construction. We could do a one-way detour coming into the city which would maintain the outflow of traffic. This

would most likely eliminate parking all together. In essence, we would work on one half of the street at a time until completed.

- Resident: Bottom line, we would lose parking temporarily especially in the area of predominantly students. A ton of students live in the area around Congress Ave and Genesee St, that is displacing many cars to where exactly? Side streets are already busier than most because of student parking.
- Sean: We will take that into consideration, there will be a winter shutdown November-April approximately.
- Resident: College students do leave during the summer and the streets are empty, but when they come back the streets are full again.
- Sean: The watermain being replaced on Genesee St is not a quick and easy process, this would be appx between Congress Ave and Terrace Park.

Comment- Local Resident

In terms of the parking, it seems like it will be disruptive of the bike lane.

- Sean: We looked at trying to put the parking on the backside, the bike lane would have to weave back and forth from following the curb line.
- Resident: That could be better than getting doored by someone opening their car door, the bike lane may not get used very often because of that.
- Jim: we also must keep pedestrians in mind and maintain the sidewalk width.

Comment- Local Resident

I believe there is an overemphasis on the number of students who drive to class, a lot of people walk and bike. I do not think the sharrows will get used, people will just choose different areas to bike.

- Donna: We will investigate this, the Genesee River Trail is very close by, we can work on better wayfinding to raise awareness.
- Resident: Has there been consideration of making a bike crossing on Arvine Park to create even more of a bike corridor?
- David Riley: There are greater city bike plans in the works that could address work outside of this project scope. We've done some work on streets that run parallel to major routes, added speedbumps, not necessarily bike lanes but other traffic calming methods.
- Resident: At Genesee St and Spruce Ave, if there is nothing at that intersection it is never going to be safe. A 13' sharrow is not accommodating for bikes at all.
- Resident: Liked the idea of looking at another marked crosswalk in that intersection.
- Resident: The thing about using trails as alternative to the road is that the path is not well lit, and it gets unsafe for people and the snow is not cleared making it easier to ride on the road.

Comment- Local Resident

Is the northern section for lighting going to be different from southern section? Can the lighting plan be emphasized as much as possible as there are a lot of pedestrians?

- Sean: When we get into final design, we will look further into lighting design and poles will be closer together than the existing ones. Since the city has converted to LED lights, it is easier to spread than it used to be.
- Donna: Yes, pedestrian lighting was brought up by the U of R at our Stakeholder meeting.

Comment- Local Resident

Wondering about bike crossing, if people are coming up from Arvine Park with the river trail, can we make sure Arvine Park is also well-lit because it will get more use that way.

- Sean: It is hard to control light spill out of the R.O.W. and the city has new standards for that. There are a handful of fixtures they use and are trying to standardize all lighting. Need to provide full cut off fixtures that prevent light from going into the air and adjacent neighborhoods.

Comment- Local Resident

Instead of having sharrows, could we have a wider sidewalk and share with bikes and pedestrians? The Plymouth St sidewalk is wide, and people will bike on the sidewalk regardless to avoid sharrows.

Instead of a bump out on Congress Ave, could there be a pedestrian island?

- Sean: The benefit of bump out is that it will help maintain parking. For a center refuge island, it would have to be wide enough, now were shifting traffic out which then would shorten the parking distance. It is a residential and mixed use are, trying to maintain parking more than other areas. The sidewalks being wider may be feasible but would need an 8' sidewalk minimum.
- Resident: Shared sidewalk seems like it would be safer and used more.
- Donna: We could look at a wider sidewalk, maybe condensing it to one side.
- Resident: The winter weather may not be better for this though because of the snow maintenance on the sidewalks.
  - Mentions potential partnership with U of R to maintain sidewalks.

Comment- Local Resident

The tabled intersection at Congress could help sharrows to work because it slows down cars and allows bikes to get in before the cars.

Comment- Local Resident

Question from James Dietz about the RTS Stops and what the plan is for them.

- Sean: Still working with RTS to develop a plan, they may want to move the stops to better locations.
- Donna: Are there seating at any of the stops?
- Sean: Not the norm, they don't have much of a desire to do that.

Comment- Local Resident

On the intersections where there aren't bike lanes, is there ever an opportunity for bike boxes?

- Sean: We will try to incorporate bike boxes.
- Resident: Really helps bikers when trying to make a left turn.

**Conclusion:**

Please provide any other comments and input on city website by 02/15/2023.



Project Schedule:

Virtual Public Information Meeting	February 8 <sup>th</sup> , 2023
In-Person Public Information Meeting	February 9 <sup>th</sup> , 2023
Design Approval:	March 2023
ROW Acquisition:	Now – Fall 2023
Final Design:	Feb. 2023 – Aug. 2023
Advertisement / Award:	Fall 2023 – Winter 2023/2024
Construction:	Spring 2024 – Fall 2025

The meeting adjourned at 8:15 PM.

The foregoing is considered to be a true and accurate record of all items discussed. If any discrepancies or inconsistencies are noted, please contact the writer immediately.

Respectfully,

**STANTEC CONSULTING SERVICES INC.**



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## Meeting Notes

### Genesee Street Public Information Meeting #2

Project/File: 192800220  
Date/Time: July 19, 2023 / 5:33 PM  
Location: 923 Genesee St SW Neighborhood Service Center  
Attendees: Donna Clements (City of Rochester)  
Allison Faber (City of Rochester)  
David Reilly (City of Rochester)  
James Hart (City of Rochester)  
Olivia Perrins (Stantec)  
Sean Miller (Stantec)  
John Lam (Reconnect Rochester)  
Sheila Driscoll (Resident)  
Mary Larkin (Resident)  
John DeMott (Resident)  
Cody Donahue (Resident)  
Jenna McNamara (Resident)  
Sean McNamara (Resident)  
**Online:**  
Catana Pickett (Resident)  
Dr. Ashley N. Campbell (Resident)  
Aaron Weiner (Resident)  
Donita Cummings (Resident)  
Steve (Resident)  
Henry Litsky (Resident)  
Jason Nabewaniec (Resident)  
Steven Campaniello (Resident)

### Presentation:

#### Project Limits:

Scottsville Road / Elmwood Avenue to Brooks Avenue / South Plymouth Avenue

#### Proposed Work:

Full Depth pavement reconstruction with Asphalt Pavement, Pavement narrowing at north and south ends of limits, Pavement Widening (depending on preferred alternative) between Genesee Park Boulevard and

Terrace Park, new granite curbs, sidewalks, street lighting, traffic signs, traffic signals, pavement markings, partial water main replacement, service renewals on all lead / galvanized water services, tree removal and replacement, and misc. landscape appurtenances.

Advertisement expected to happen in Fall of 2023 pending ROW acquisition.

Donna provides an overview of the project and discussed what has been done and what is to be going on next. Tells them what meetings we have held to date.

Donna goes on to explain how the lanes are too narrow today and contributing to the current crash rate. Congress Avenue and Genesee Street intersection is a Priority Investigation Location due to the amount and types of crashes happening at that location. A major goal of the project is to make the street more compatible with the City's Complete Streets Policy.

Agenda:

- How we got to where we are tonight, what does the final design phase entail?
- Meeting overview and schedule
- Donna goes over Project objectives and limits.
- Emphasizes importance of public input

Work Zone Traffic Control:

- One way detour north bound traffic
- No way to build the traffic and keep two lanes open.
- 2-year window for construction anticipated
- Phase 3 putting topcoat on road, second season is when everything is established such as trees and finishing touches.

Item	Action
<p><b>Resident Question:</b></p> <p>What is the difference between shared use path and cycle track?</p> <p><b>Response:</b></p> <ul style="list-style-type: none"><li>- Shared use paths are facilities where bikes and peds share the same path, whereas a two-way cycle track provides bikes traveling in both directions a separated space between the travel lanes and sidewalk. A two-way cycle track is delineated with a</li></ul>	

Item	Action
<p>yellow dash centerline separating bike directions. Sidewalk is placed next to the cycle track for pedestrians.</p>	
<p><b>Resident Questions/Comments:</b></p> <p>Comment:</p> <p>Resident on Genesee St, looks at Congress every day, says they have pictures of two cars disobeying the one way and going onto Genesee St. is there anything you can do to stop this? (Same Q online too)</p> <p><b><u>Response:</u></b></p> <ul style="list-style-type: none"> <li>- This project includes the following changes to reinforce the one-way operations:           <ol style="list-style-type: none"> <li>1. Narrowing the opening to discourage wrong-way drivers.,</li> <li>2. We will discuss these concerns with the traffic control board to identify any additional measures to control traffic flow. Continued wrong-way driving becomes an enforcement issue with the RPD.</li> </ol> </li> </ul> <p>Comment:</p> <p>For many years there was a bus stop at her house, which was fine until people have been stealing and vandalizing things at her property. She gives an example of them using her porch to sit and wait for the bus. She does not want a bus stop back in front of the house. She got it removed and sees it back on the plans. She will not feel safe if the bus stop gets moved back in front of her house.</p> <p><b><u>Response:</u></b></p> <ul style="list-style-type: none"> <li>- We consolidated two bus stops but can go back to RTS with this concern. RTS had made the decision to re-establish the bus stop in front of your house.</li> </ul> <p>Comment:</p> <p>Traffic concern with ambulances during construction phase because there are a lot that come through Genesee St.</p> <p><b><u>Response:</u></b></p> <p>Traffic flow during construction has prioritized one-way southbound in order to minimize any impacts to emergency vehicles en-route to the hospital.</p>	<p>Connect with RTS with plans for bus stops.</p>

Item	Action
<p><b>Resident Question (Online):</b></p> <p>People are wondering about putting up fences in front of their property with trespassing being the main concern along Genesee St. Multiple people dealing with these issues.</p> <p>A Reconnect Rochester employee in the meeting offered a solution of adding bus boxes out front to offer seating.</p> <p>Resident also brings up issue of litter along the corridor/ on their property.</p>	<p>Contact reconnect Rochester to receive a bus box near the stop</p>
<p><b>Resident Question:</b></p> <p>Do homeowners get any input on tree type?</p> <p><b>Response:</b></p> <ul style="list-style-type: none"> <li>- We can take that into consideration and have follow-up conversation.</li> </ul>	<p>James Hart (City Arborist) provided business card to resident for further communication.</p>
<p><b>Resident Question (Online):</b></p> <p>Is the PowerPoint being shared with the public?</p> <p><b>Response:</b></p> <ul style="list-style-type: none"> <li>- PowerPoint is on the city's website live tomorrow morning (7/20), as well as the scroll drawing. People can write down comments, send emails to Donna or post on the website.</li> </ul>	
<p><b>Resident Question / Comment (Online)</b></p> <p>Resident is against the RRFB, wondering if there are other options such as an island.</p> <p><b>Response:</b></p> <ul style="list-style-type: none"> <li>- A pedestrian refuge island was vetted as part of the alternatives to improve pedestrian safety at Congress Avenue. However, based on several competing needs within this area, including maintaining the existing amount of on-street parking, a refuge island of the minimum required width of 6' was not considered feasible due to the space needed for on-street parking lanes. Curb extensions are proposed to narrow the street and reduce the pedestrian crossing distance.</li> </ul> <p>How are cyclists expected to cross from Congress Ave?</p>	

Item	Action
<p><b><u>Response:</u></b></p> <ul style="list-style-type: none"> <li>- The RRFB will serve as a crossing device for both pedestrians and cyclists alike. The push buttons will be placed adjacent to the curb ramp to meet accessibility requirements for both pedestrians and cyclists.</li> </ul>	
<p><b>Resident Question (Online):</b></p> <p>Can there be benches provided at the bus stops?</p> <p><b><u>Response:</u></b></p> <ul style="list-style-type: none"> <li>- Bus stops are currently an RTS responsibility, and we will coordinate with them on what they would like to provide at their facilities.. Extensive site furniture is not currently planned for the corridor.</li> </ul>	<p>Look into putting additional seating at bus stops, the City has a grant to improve Bus Stops. Bus stops along Genesee Street will be reviewed by this City Project to see if any of the stops warrant the addition of benches.</p>
<p><b>Resident Question (Online):</b></p> <p>Is there possibility of providing a detour around the neighborhood? Temporary traffic calming?</p> <p><b><u>Response:</u></b></p> <ul style="list-style-type: none"> <li>- Traffic typically finds alternate routes during construction. Detours are difficult to accommodate especially a complete closure. Delivery trucks need detours in order to make it from one place in the project to another.</li> <li>- We did have an alternate detour route that unfortunately was not feasible due to another NYSDOT construction project. These projects would overlap and not be possible because of ramp closures.</li> </ul>	
<p><b>Resident Question (Online)</b></p> <p>Have you explored continuous sidewalks/crosswalks to side streets to the east? Raised crosswalks?</p> <p><b><u>Response:</u></b></p> <ul style="list-style-type: none"> <li>- We did investigate this early in the process to see if it was possible, but these features have to meet certain criteria for installation. In addition, these type of features require drainage modifications which depending on the depth of storm sewer can be expensive. We've never used a raised crosswalk in that context.</li> </ul>	

Item	Action
<p><b>Resident Comment (Online):</b>            Temporary one-way construction traffic will be very difficult for residents and create dead end streets.</p> <p><b><u>Response:</u></b></p> <ul style="list-style-type: none"> <li>- Temporary one-way is unavoidable due to our utility reconstruction. We have 800 LF of water main reconstruction. To allow for an adequate work area, we need to provide one way traffic.</li> </ul>	
<p><b>Resident Question (Online):</b>            To go towards Genesee Valley Park, if you're coming off a side street to Genesee St, you must make a whole maneuver to get into turning left. Residents issue is with turning left onto one way during construction. Since they blocked off Plymouth and turned into Genesee St. it's impossible to make turns.</p> <p><b><u>Response:</u></b></p> <ul style="list-style-type: none"> <li>- Only option is to turn left which should make this movement easier with only one direction to account for.</li> </ul>	
<p><b>Resident Question (Online):</b>            Issue with not continuing protected bike lanes because of parking, how many spaces are we keeping?</p> <p><b><u>Response:</u></b></p> <ul style="list-style-type: none"> <li>- We reduced some existing parking where there was minimal use, however the biggest thing improving the sight distance triangles up to current County standards with curb bump outs.</li> </ul>	
<p><b>Resident Comment (Online):</b>            Is there a possibility of using bollards to prevent cars from driving onto the sidewalk?</p> <p><b><u>Response:</u></b></p> <ul style="list-style-type: none"> <li>- That is an option. Bollards become a maintenance issue because of winter snow removal. This is something the city will investigate if it becomes an issue, full height curb should also help. Trees will also help.</li> </ul>	

**Resident Comment (Online):**

Do you have a count of the total number of parking spaces on the east side of street between Congress and Brooks Ave being retained? Wants to compare to see if it's worth it to provide the cycle track.

**Response:**

- Any parking removed within this section was done so in order to provide adequate Intersection Sight Distance.

**Resident Comment (Online):**

What about kids' safety going to the Genesee Valley Park from Elmwood Ave?

**Response:**

- By removing the right turn slip ramp, an uncontrolled pedestrian crossing is eliminated along with the use of a button actuated pedestrian interval (11 second advanced walk) has been maintained and the pedestrian signals will be upgraded with audible push buttons that communicate when to cross and should help crossing Elmwood Ave.

**Resident Comment (Online):**

Steve: Direction of traffic will make it extremely difficult for left turns from the short streets east of Genesee St. Can the one-way traffic flow be reversed so we can exit right from Arvine heights?

**Response:**

- The current direction of traffic was established with consideration for traffic flow and emergency vehicle access to the Hospital. Left turns onto a one-way street similar to make a right turn as you only need to look for oncoming traffic in one direction.

**Resident Question (Online):**

Donita Cummings: I like the changes thus far. I have a question. Was a traffic study done to understand the flow of traffic from Elmwood to Brooks Ave. It's literally, impossible to get out of a side street between 4-6pm every day.

**Response:**

- The traffic study is part of the standard project process. We do existing counts and estimate future volumes. It is a major thoroughfare through the city.



**Resident Comment (Online):**

Wondering about deliveries to the mini mart, what accommodations will be made for truck unloading during construction?

**Response:**

- The existing Mini mart would have to utilize the recess parking on Congress Ave, unrestricted parking on north side now will be switched to the south side.

**Project Schedule:**

Virtual Public Information Meeting	February 8th, 2023
In-Person Public Information Meeting	February 9th, 2023
Design Approval:	March 2023
ROW Acquisition:	Feb. – Fall 2023
Final Design:	Feb. 2023 – Aug. 2023
Advertisement / Award:	Fall 2023 – Winter 2023/2024
Construction:	Spring 2024 – Fall 2025

The meeting adjourned at 6:50 PM.

The foregoing is considered to be a true and accurate record of all items discussed. If any discrepancies or inconsistencies are noted, please contact the writer immediately.

Respectfully,

**STANTEC CONSULTING SERVICES INC.**



**Sean W. Miller PE**  
Associate, Transportation  
Phone: 585-475-1440 ext. 5260  
Mobile: 585-354-2547  
sean.miller@stantec.com

**INTRODUCTORY NO.****347**

Ordinance No.

**Authorizing a change in traffic flow, alteration of pavement widths and acquisition of easements for the Genesee Street Reconstruction Project (Elmwood Avenue to Brooks Avenue)**

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

Section 1. The Council hereby approves a change in direction of the traffic flow on Congress Avenue between Genesee Street and Custer Street, from two-way to one-way westbound.

Section 2. Council hereby approves the following pavement width changes on Genesee Street to be implemented as part of the Genesee Street Reconstruction Project (Elmwood Avenue to Brooks Avenue) (Project):

- A. A decrease from the existing variable pavement width ranging from approximately 63 feet to 37 feet to a variable pavement width ranging from 47 feet to 24 feet, beginning at Scottsville Road/Elmwood Avenue and continuing northward approximately 450 feet;
- B. A decrease from the existing pavement width of 36 feet to a variable pavement width ranging from 24 feet to 30 feet, beginning approximately 450 feet north of Scottsville Road/Elmwood Avenue and continuing northward to Grandview Terrace;
- C. A change from the existing pavement width of 36 feet to a variable pavement width ranging from 26 feet to 38 feet, beginning at Grandview Terrace and continuing northward to Terrace Park; and
- D. A decrease from the existing variable pavement width ranging from approximately 40 feet to 49 feet to a variable pavement width ranging from 32 feet to 44 feet, beginning at Terrace Park and continuing northward to Brooks Avenue/South Plymouth Avenue.

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

Section 3. The Council hereby authorizes the acceptance of the donation from the People of the State of New York of the following described portions of parcels adjoining the Genesee Street right-of-way, two by title in fee and one by temporary easement, after they are acquired by the State for dedication as right-of-way for the Project:

Parcel No.	Reputed Owners	Property Address	Tax Account No.	Acquisition Type	Acquired Area (± SF)
1	Castle Town Development	1125 Genesee St	135.42-3-16	Permanent Easement	96
2	Castle Town Development	1125 Genesee St	135.42-3-16	Temporary Easement	397
3	Brooks Super Store Inc.	973-985 Genesee St	135.34-3-21	Permanent Easement	48

as depicted on New York State Department of Transportation (NYSDOT) easement maps and described as follows:

#### PARCEL 1

All that piece or parcel of property designated as NYSDOT Easement Map No. 1, Parcel No. 1, to be acquired in Permanent Easement, as shown on the accompanying map and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly Street Boundary of Genesee Street, said point having New York State Plane Coordinates of North: 1,141,135.49, East: 1,400,768.31, said point also being 2.14 feet left, measured at right angles from Station 20+53.54 of the hereinafter described 2022 Survey Baseline for the reconstruction of a portion of Genesee Street; thence North 23°32'13" East, through the lands of Castle Town Development (Reputed Owner), a distance of 53.58 feet to a point on the said westerly Street Boundary of Genesee Street, said point being 0.39 feet left, measured at right angles from Station 21+07.09; thence southwesterly, a distance of 31.48 feet to a point 2.17 feet right, measured at right angles from Station 20+75.71; thence southwesterly, a distance of 22.59 feet to the Point of Beginning, containing 96± sq. ft. or 0.002± acre, more or less.

The above mentioned Survey Baseline is a portion of the 2022 Survey Baseline completed by GdB Geospatial for the reconstruction of a portion of Genesee Street and described as follows:

Beginning at Station 17+39.19; thence North 21°39'49" East, a distance of 414.12 feet to Station 21+53.31; thence North 17°00'40" East, a distance of 358.30 feet to Station 25+11.61.

#### PARCEL 2

All that piece or parcel of property designated as NYSDOT Easement Map No. 2, Parcel No. 2, to be acquired in Temporary Easement, as shown on the accompanying map and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly Street Boundary of Genesee Street, said point having New York State Plane Coordinates of North: 1,141,135.49, East: 1,400,768.31, said point also being 2.14 feet left, measured at right angles from Station 20+53.54 of the hereinafter described 2022 Survey Baseline for the reconstruction of a portion of Genesee Street; thence northwesterly, through the lands of Castle Town Development (Reputed Owner), a distance of 7.60 feet to a point 9.59 feet left, measured at right angles from Station 20+54.98; thence North 23°32'13" East, a distance of 52.38 feet to a point 7.88 feet left, measured at right angles from Station 21+07.33; thence South 66°27'47" East, a distance of 7.50 feet to a point on the said westerly Street Boundary of Genesee Street, said point being 0.39 feet left, measured at right angles from Station 21+07.09; thence South 23°32'13" West, a distance of 53.58 feet to the Point of Beginning, containing 397± sq. ft. or 0.009± acre, more or less.

The above mentioned Survey Baseline is a portion of the 2022 Survey Baseline completed by GdB Geospatial for the reconstruction of a portion of Genesee Street and described as follows:

Beginning at Station 17+39.19; thence North 21°39'49" East, a distance of 414.12 feet to Station 21+53.31; thence North 17°00'40" East, a distance of 358.30 feet to Station 25+11.61.

### PARCEL 3

All that piece or parcel of property designated as NYSDOT Easement Map No. 3, Parcel No. 3, to be acquired in Permanent Easement, as shown on the accompanying map and being more particularly bounded and described as follows:

BEGINNING at a point on the westerly Street Boundary of Genesee Street, said point having New York State Plane Coordinates of North: 1,142,235.40, East: 1,401,111.16, said point also being 46.31 feet left, measured at right angles from Station 32+02.44 of the hereinafter described 2022 Survey Baseline for the reconstruction of a portion of Genesee Street; thence North 37°11'00" West, through the lands of Brooks Super Store Inc. (Reputed Owner), a distance of 11.70 feet to a point on the southerly Street Boundary of Brooks Avenue, said point also being 56.69 feet left, measured at right angles from Station 32+07.83; thence easterly, along said southerly Street Boundary of Brooks Avenue, a distance of 10.00 feet to a point on the said westerly Street Boundary of Genesee Street, said point also being 47.76 feet left, measured at right angles from Station 32+12.33; thence southwesterly along said westerly Street Boundary of Genesee Street, a distance of 10.00 feet to the Point of Beginning, containing 48± sq. ft. or 0.001± acre, more or less.

The above mentioned Survey Baseline is a portion of the 2022 Survey Baseline completed by GdB Geospatial for the reconstruction of a portion of Genesee Street and described as follows:

Beginning at Station 29+16.00; thence North 25°20'38" East, a distance of 389.88 feet to Station 33+05.88.

Section 4. City taxes and other current-year charges against said parcels shall be canceled from the date of acquisition closing forward. If the present owner or State has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City owns the parcel, shall also be canceled.

Section 5. This ordinance shall take effect immediately.



**City of Rochester**

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**PARKS & PUBLIC WORKS  
INTRODUCTORY NO.**

**348**

**Malik D. Evans**  
Mayor

August 29, 2023

DES 04

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – CPL Architects, Engineers,  
Landscape Architect and Surveyor, D.P.C. dba CPL –  
2025 Milling and Resurfacing Project (North Clinton  
Avenue – Cumberland Street to East Ridge Road)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the 2025 Milling and Resurfacing Project. This legislation will establish \$450,000 as total maximum compensation for a professional services agreement with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. dba CPL (Todd M. Liebert, C.E.O., 255 Woodcliff Drive, Suite 200, Fairport, NY) for engineering services related to this project. The agreement will be funded from 2022-23 Cash Capital.

The project includes, but is not limited to, milling and resurfacing of the pavement, spot curb and sidewalk replacement, curb ramp upgrades, adjustment and/or repair of manholes, catch basins, and water valve castings, and other various improvements as funding allows. The addition of bicycle facilities, curb bump-outs, and other elements of the Complete Streets Policy will be evaluated during preliminary design. These improvements will improve the surface drainage and riding quality of the roadway, improve accessibility, and expand the useful life of the pavement structure.

The changes will be in compliance with the City's Complete Streets Policy whereas the streets will enable safe access for all uses; pedestrians, bicyclists, transit users, persons with disabilities, and motorists of all ages and abilities are able to safely move along and across City Street. Particular attention will be given to the pedestrian and cyclist safety projects identified in the 2023 Active Transportation Plan.

CPL was selected to provide engineering services through a request for proposal process, which is described in the attached summary.

Design is anticipated to begin in October 2023. Construction is anticipated to begin in spring 2025. The professional services agreement will result in the creation and/or retention of the equivalent of 4.9 full-time jobs.

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

Respectfully submitted,

Malik D. Evans  
Mayor



### Vendor / Consultant Selection Process Summary

**Department:** DES/Bureau of Architecture and Engineering  
**Project / Service Sought:** 2025 Milling & Resurfacing - North Clinton Ave / Design Services  
**Consultant Selected:** CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C.  
**Method of selection:** Request for Proposals

**1. Date of RFP (and posted on the City web site):** June 12, 2023

**2. The RFP / RFQ was also sent directly to:** See attached Consultant List

#### 3. Proposals were received from

<u>FIRM</u>	<u>City/State/Zip Code</u>
Barton & Loguidice, D.P.C.	Rochester NY, 14614
CHA Consulting, Inc.	Rochester NY, 14604
Fisher Associates, P.E., L.S., L.A., D.P.C.	Rochester NY, 14607
CPL	Fairport, NY 14450
LaBella Associates, D.P.C.	Rochester NY, 14614
LiRo Engineers, Inc.	Rochester, NY 14608
TY Lin International Engineering & Architecture, P.C.	Rochester NY, 14604

#### 4. Evaluation criteria

<u>Criteria</u>	<u>Weighting</u>	<u>Points Possible</u>	<u>Actual Points received by FIRM</u>
Firm Qualifications	10%	10	7.7
Team Qualifications	40%	40	31.3
Technical Proposal	50%	<u>50</u>	<u>35.3</u>
SUBTOTAL		100	<b>74.3</b>

<u>Bonus Points</u>	<u>Max Points Possible</u>	<u>Actual Points received by FIRM</u>
City business:	10	7.4
Prime is an MWBE	10	0
Prime uses 10% - 20% MWBE subs	5	7.4
Prime uses 20%+ MWBE subs	10	7.4
Workforce goals for M & W met	<u>10</u>	<u>7.4</u>
BONUS POINTS SUBTOTAL	Max BP = 40	Actual BP = <b>29.6</b>

Total = Actual points + Actual BP = **104.1**

**5. Review team included staff from:** DES Architecture & Engineering, 3

**6. Additional considerations/explanations:** The selected Consultant does not have any street projects actively in design.

**7. MWBE Officer has reviewed the recommended firm's proposal for MWBE and**

**Workforce goals.** MWBE Officer Initials: *Smo for SSS* Date: *8/31/2023*

## **Consultant List**

1. ARCADIS Rochester, NY 14604
2. Baptiste Engineering, D.P.C. Rochester, NY 14614
3. Barton & Loguidice, D.P.C. Rochester, NY 14614
4. Bergmann Architects, Engineers & Planners Rochester, NY 14604
5. C&S Engineers, Inc. Rochester, NY 14614
6. CHA Consulting, Inc. Rochester, NY 14604
7. Environmental Design and Research, P.C. Rochester, NY 14607
8. Erdman Anthony and Associates, Inc. Rochester, NY 14620
9. Fisher Associates, P.E., LS, LA, DPC Rochester, NY 14607
10. Greenman-Pedersen, Inc. Rochester, NY 14614
11. Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C. Rochester, NY 14614
12. LaBella Associates, D.P.C. Rochester, NY 14614
13. LiRo Engineers, Inc. Rochester, NY 14608
14. Lu Engineers Rochester, NY 14604
15. Marathon Engineering Rochester, NY 14614
16. Marques & Associates, P.C. Land Surveying and Engineering Rochester, NY 14607
17. MRB Group Engineers, Architects, Surveyors, PC Rochester, NY 14620
18. Passero Associates, PC Rochester, NY 14614
19. Prudent Engineering, LLP Rochester, NY 14614
20. Stantec Consulting Services, Inc. Rochester, NY 14614
21. T.Y. Lin International Engineering & Architecture, P.C. Rochester, NY 14604
22. Wendel Companies Rochester, NY 14608



# 2025 Milling and Resurfacing

North Clinton Avenue - Cumberland St to E Ridge Rd

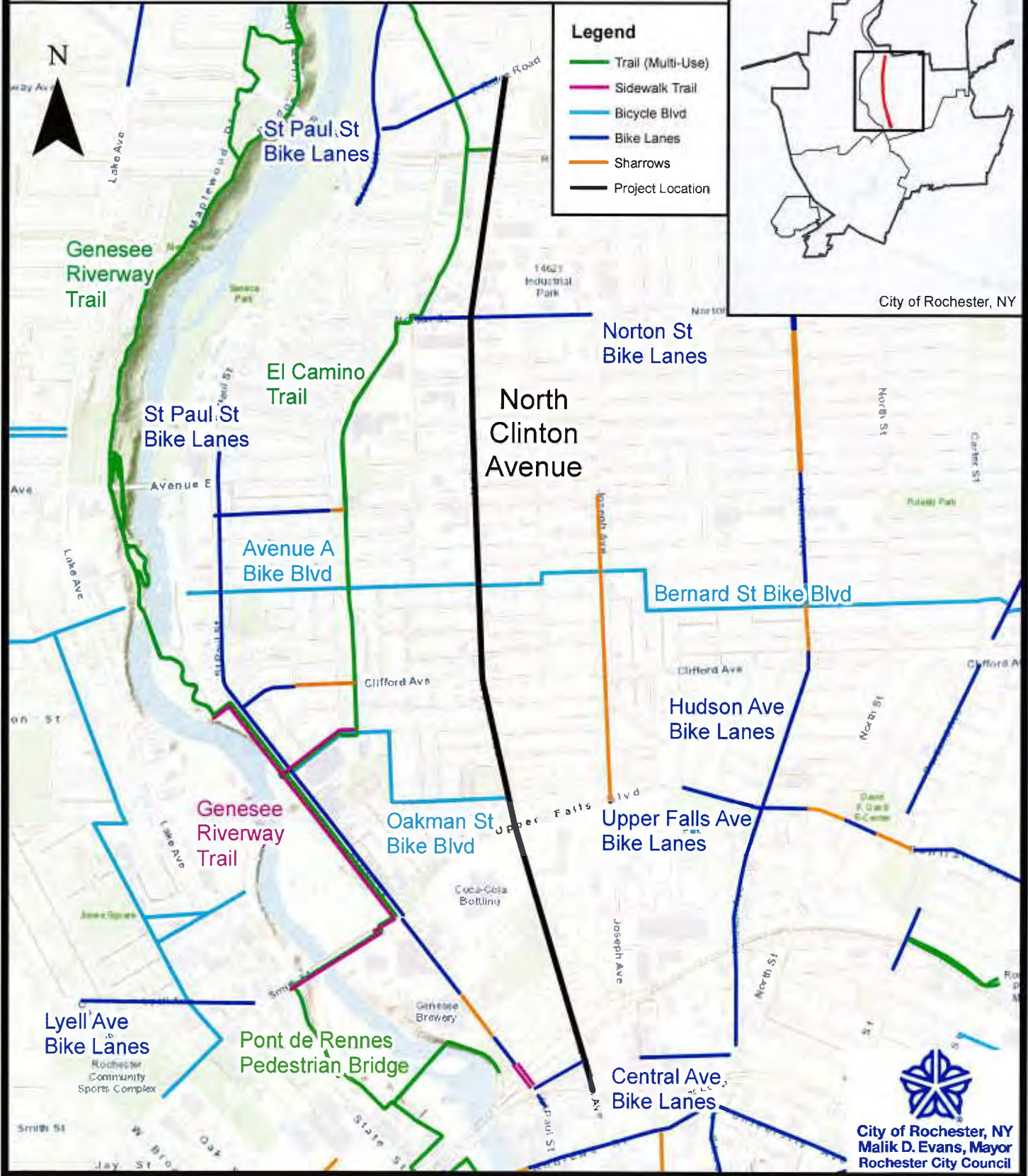
DES 04



City of Rochester, NY

## Legend

- Trail (Multi-Use)
- Sidewalk Trail
- Bicycle Blvd
- Bike Lanes
- Sharrows
- Project Location



City of Rochester, NY  
Malik D. Evans, Mayor  
Rochester City Council

**Authorizing an agreement for the 2025 Milling and Resurfacing Project (North Clinton Avenue – Cumberland Street to East Ridge Road)**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with CPL Architects, Engineers, Landscape Architect and Surveyor, D.P.C. to provide engineering services for the 2025 Milling and Resurfacing Project (North Clinton Avenue – Cumberland Street to East Ridge Road) (Project). The maximum compensation shall be \$450,000, which shall be funded from 2022-23 Cash Capital. The term of the agreement shall extend until three months after completion of the two-year guarantee inspection of the Project.

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

Section 3. This ordinance shall take effect immediately.



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www.cityofrochester.gov

**Malik D. Evans**  
Mayor

**PARKS & PUBLIC WORKS  
INTRODUCTORY NO.**

**349**

DES 05

August 29, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: State Street Reconstruction Project  
(Basin Street to Inner Loop)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the State Street Reconstruction Project. This legislation will appropriate \$200,000 in anticipated reimbursements from New York State Department of Transportation (NYSDOT) to partially finance the construction of the project.

The additional funding is required due to unforeseen conflicts with underground utilities and private property areaways encountered during construction.

This project includes pavement reconstruction and widening, curbs, sidewalks, curb ramps, catch basins, manhole frames and covers, water main, water main structural lining, water services, water anodes, hydrants, telecommunications conduit, street lighting, signal upgrades, signage, pavement markings, tree plantings, and other various streetscape improvements. These improvements will enhance traffic safety and efficiency, improve the surface drainage and riding quality of the roadway, improve accessibility, and enhance the streetscape.

This is a Federal Aid Project administered by the City under an agreement with the New York State Department of Transportation (NYSDOT).

Construction began in spring 2022 and will be substantially complete in fall 2023.

Respectfully submitted,

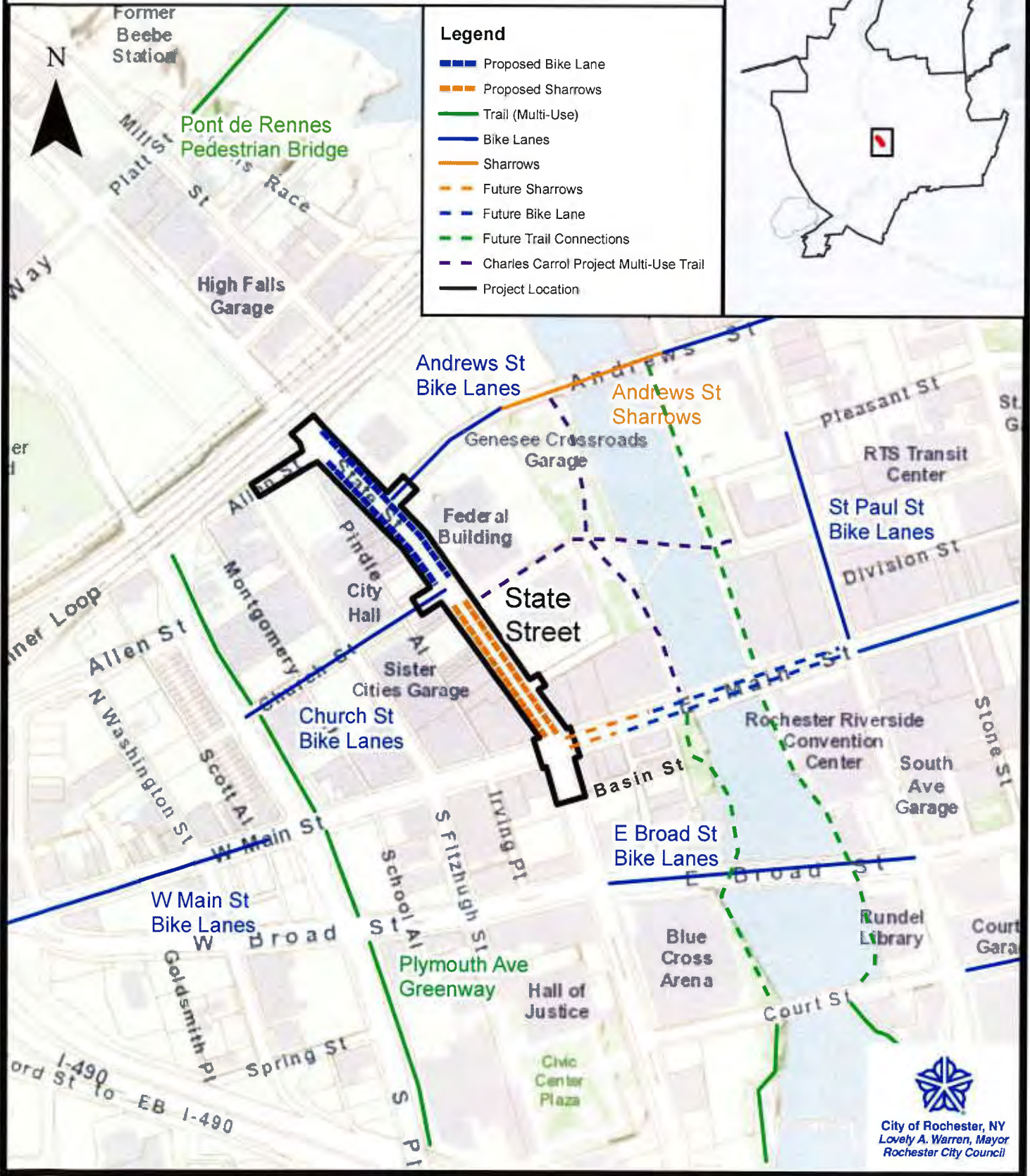
Malik D. Evans  
Mayor



# State Street Reconstruction Project

Basin St to Inner Loop  
Proposed Bicycle Improvements

DES 05



**INTRODUCTORY NO.**

**349**

Ordinance No.

**Appropriating funds for the State Street Reconstruction Project**

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

Section 1. The Council hereby appropriates the sum of \$200,000 in anticipated reimbursements from the New York State Department of Transportation to fund a portion of the construction costs for the State Street Reconstruction Project (Basin Street to Inner Loop).

Section 2. This ordinance shall take effect immediately.



**City of Rochester**

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www.cityofrochester.gov

**NEIGHBORHOOD &  
BUSINESS DEVELOPMENT  
INTRODUCTORY NO.**

**Malik D. Evans**  
Mayor

350

August 29, 2023      NBD 06

TO THE COUNCIL

Ladies and Gentlemen:

Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:  
Strong Neighborhoods

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

The first three properties, are listed on the attached spreadsheet under the heading, I. Sealed Bid Auction – Improved Property. 34 Fifth Street and 96 Silver Street will be sold to Yurina Leyva, 75 Danforth Street, Rochester, New York; 241 Saratoga Avenue will be sold to Myriam and Paul Z. Oska, 35 Rainier Street, Rochester, NY. The properties were sold to the highest approved bidders and all purchasers will be required to rehabilitate the structures within 12 months.

The remaining three properties are listed on the attached spreadsheet under the heading, II. Negotiated Sale - Unbuildable Vacant Land. The parcel at 215 Campbell Street will be sold to Dawn M. DiGennaro, 217 Campbell Street, Rochester, New York; the north half of 28 Rugraff Street will be sold to Jose A. Ramos, 90 Knapp Avenue, Rochester, New York; and the south half of 28 Rugraff Street will be sold to Ross A. Conley, 1074 Lakeshore Boulevard, Rochester, New York. The parcels are each being sold for \$1.00 (as per City policy) and will be combined with the primary parcels owned by the identified adjoining owners.

The first year projected tax revenue for these properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,987.

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

Respectfully submitted,

Malik D. Evans  
Mayor



<u>I. Sealed Bid Auction - Improved Property</u>									
<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Use</u>	<u>Price</u>	<u>Purchaser</u>	<u>Address</u>	<u>Tax Impact</u>	<u>Zoning/ Legal/ Planning/ CV</u>	
34 Fifth St	106.60-2-83	40 x 120	2 Family	\$ 3,000	Yurina Leyva	Rochester, NY 14611	\$ 875	R-2	
241 Saratoga Av	105.51-1-7	33.5 x 80.8	2 Family	\$ 1,100	Myriam and Paul Z. Oska	Rochester, NY 14613	\$ 923	R-1	
96 Silver St	120.35-1-35	33 x 150	1 Family	\$ 5,000	Yurina Leyva	Rochester, NY 14611	\$ 591	R-2	
						<b>Subtotal</b>	<b>\$ 2,389</b>		
<u>II. Negotiated Sale - Unbuildable Vacant Land</u>									
<u>Address</u>	<u>SBL#</u>	<u>Lot Size</u>	<u>Sq.Ft.</u>	<u>Price</u>	<u>Purchaser</u>	<u>Address</u>	<u>Tax Impact</u>		
215 Campbell St	120.27-1-58	30.17 x 128	3,889	\$1	Dawn M. DiGennaro	Rochester, NY 14611	\$ 270		
NH 28 Rugraff St	Portion of 105.74-1-67	20 x 62	1,231	\$1	Jose A. Ramos	Rochester, NY 14609	\$ 164		
SH 28 Rugraff St	Portion of 105.74-1-67	20 x 62	1,231	\$1	Ross A. Conley	Rochester, NY 14617	\$ 164		
						<b>Subtotal</b>	<b>\$ 598</b>		
						<b>Total Tax Impact</b>	<b>\$ 2,987</b>		

# 215 Campbell St



July 27, 2023

This map is intended for general reference only.  
The City of Rochester makes no representation  
as to the accuracy or fitness of the data presented.



City of Rochester, NY  
Malik D. Evans, Mayor

## City of Rochester, NY



## RESIDENTIAL UNBUILDABLE LOT ANALYSIS

Address of Lot: 215 Campbell St

SBL#: 120.27-1-58

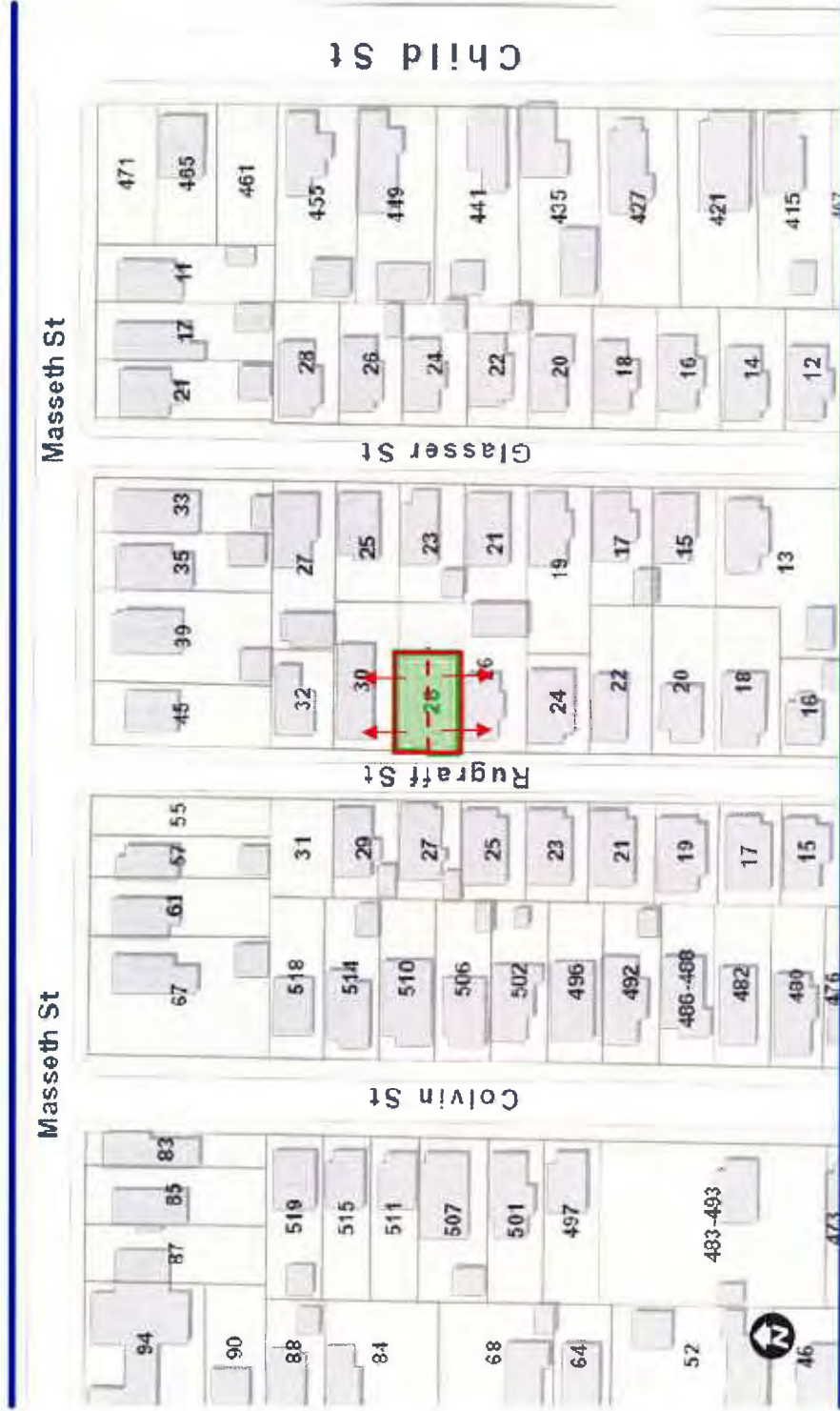
Date 7/13/23 Initials: IV

Based on criteria below: This is an Un-Buildable Lot

ITEM	YES	NO
Is the lot in an environmentally sensitive area where construction is prohibited?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the lot landlocked and less than 4,000 sq. ft.?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the lot have severe topographical characteristics that hinder development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are utilities inaccessible for future development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the lot encumbered with major easements which prohibit development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The property has been reviewed to ensure that it does not adjoin a City-owned parcel with which it could be combined to create a development site	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is residentially zoned and has a frontage of less than 40' or a depth of less than 100'	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TOTAL	<b>2</b>	<input type="checkbox"/>

If the answer to any of the above questions is "Yes", the parcel is considered unbuildable

# 28 Rugraff St



July 27, 2023

This map is intended for general reference only.  
The City of Rochester makes no representation  
as to the accuracy or fitness of the data presented.



City of Rochester, NY  
Melik D. Evans, Mayor

City of Rochester, NY

## RESIDENTIAL UNBUILDABLE LOT ANALYSIS

Address of Lot: 28 Rugraff St  
 SBL#: 105.74-1-67

Date: 7/13/2023 Initials: IV

Based on criteria below:

This is an Un-buildable Lot **X**

ITEM	YES	NO
Is the lot in an environmentally sensitive area where construction is prohibited?		<b>X</b>
Is the lot landlocked or less than 4,000 sq. ft.?	<b>X</b>	
Does the lot have severe topographical characteristics or irregular layout/shape that hinder development?		<b>X</b>
Are utilities inaccessible for future development?		<b>X</b>
Is the lot encumbered with major easements which prohibit development?		<b>X</b>
The property has been reviewed to ensure that it does not adjoin a City-owned parcel with which it could be combined to create a development site		<b>X</b>
Is residentially zoned and has a frontage of less than 40' or a depth of less than 100'	<b>X</b>	
<b>TOTAL</b>	<b>2</b>	

If the answer to any of the above questions is "Yes", the parcel is considered unbuildable.

**INTRODUCTORY NO.**  
**350**

Ordinance No.

**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 sale of the following parcels of improved property by sealed bid auction:

Address	SBL#	Lot Size	Use	Price	Purchaser
34 Fifth St	106.60-2-83	40' x 120'	2-family	\$3,000	Yurina Levya
241 Saratoga Ave	105.51-1-7	33.5' x 80.8'	2-family	\$1,100	Myriam and Paul Z. Oska
96 Silver St	120.35-1-35	33' x150'	1-family	\$5,000	Yurina Levya

Section 2. The Council hereby approves the negotiated sale of the following vacant unbuildable parcels of land for \$1 each:

Address	SBL#	Lot Size	Sq. Ft.	Purchaser
215 Campbell St	120.27-1-58	30.17' x 128	3,889	Dawn M. DiGennaro
28 Rugraff St North Half	105.74-1-67 North Half	20' x 62'	1,231	Jose A. Ramos
28 Rugraff St South Half	105.74-1-67 South Half	20' x 62'	1,231	Ross A. Conley

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

Section 4. This ordinance shall take effect immediately.



**City of Rochester**

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**Malik D. Evans**  
Mayor

**NEIGHBORHOOD &  
BUSINESS DEVELOPMENT  
INTRODUCTORY NO.**

351

August 29, 2023      NBD 07

TO THE COUNCIL

Ladies and Gentlemen:

Re: Real Estate Donation – Portion of 251 N.  
Union Street

Council Priority: Creating and Sustaining a  
Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the acceptance by donation of a portion of the vacant lot known as 251 N. Union Street from AMETEK, Inc. (Mark Scheuer, Vice President of Environmental Health and Safety), 255 N. Union St, Rochester, NY).

Accepting the donation will allow the City to include the lot in any future housing development plans for the Urban Renewal area.

Upon acquisition by the City, any taxes or charges levied after the date of closing shall be canceled. The property is to be conveyed without any other outstanding liens or encumbrances.

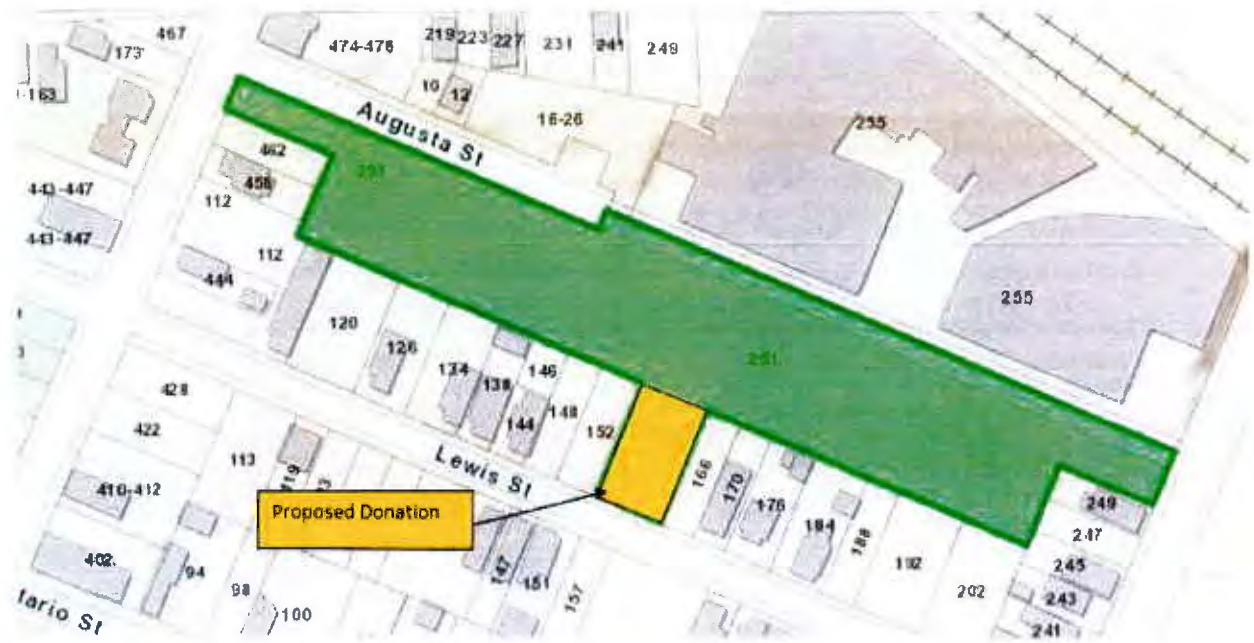
Respectfully submitted,

Malik D. Evans  
Mayor



# MAP OF PORTION OF 251 N. UNION STREET

## SCHEDULE A



**LEGAL DESCRIPTION OF  
PART OF #251 NORTH UNION STREET  
PART OF T.A. #106.660-01-049.001**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being Lots 32 & 33, Section A, of the Thomas Moulson Subdivision, as filed in the Monroe County Clerk's Office in Liber 3 of Maps, Page 128. Said Lots 32 & 33 together front 66.0 feet on the north side of Lewis Street and are 115.5 feet in depth, all as shown on said subdivision.

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

Being part of the premises conveyed to Ametek, Inc. by a deed dated September 5, 2000 and filed on September 15, 2000 in Liber 9363 of Deeds, Page 126.

**INTRODUCTORY NO.**

**351**

Ordinance No.

**Authorizing the acceptance by donation of a portion of 251 North Union Street**

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

Section 1. The Council hereby authorizes the acceptance of the donation of the following described portion of 251 North Union Street from Ametek, Inc.:

LEGAL DESCRIPTION OF  
PART OF #251 NORTH UNION STREET  
PART OF T.A. #106.660-01-049.001

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being Lots 32 & 33, Section A, of the Thomas Moulson Subdivision, as filed in the Monroe County Clerk's Office in Liber 3 of Maps, Page 128. Said Lots 32 & 33 together front 66.0 feet on the north side of Lewis Street and are 115.5 feet in depth, all as shown on said subdivision. Subject to covenants, easements or restrictions of record, if any. Being part of the premises conveyed to Ametek, Inc. by a deed dated September 5, 2000 and filed on September 15, 2000 in Liber 9363 of Deeds, Page 126.

Section 2. Upon transfer of title to the City, any City taxes and any other City charges, liens or encumbrances against said property are hereby cancelled.

Section 3. This ordinance shall take effect immediately.





**City of Rochester**

City Hall Room 308A, 30 Church Street  
Rochester, New York 14614-1290  
www.cityofrochester.gov

**NEIGHBORHOOD &  
BUSINESS DEVELOPMENT  
INTRODUCTORY NO.**

**Malik D. Evans**  
Mayor

**352**

August 29, 2023      NBD 08

TO THE COUNCIL

Ladies and Gentlemen:

Re: Acquisition – 494 E. Main Street, 500 E. Main Street, 135 Scio Street, 141 Scio Street, 147 Scio Street, 151 Scio Street, 163 Scio Street – Rochester City School District Parking

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the acquisition by negotiation of seven parcels of vacant land from Downstairs Cabaret, Inc. (Christopher F. Kawolsky, Director, 20-24 Windsor S, Rochester, NY) This legislation will:

- 1) Authorize acquisition of the seven parcels on behalf of the Rochester City School District (RCSD).
- 2) Amend the 2023-24 Cash Capital Budget by \$200,000 to reflect the receipt and use of funding from RCSD to reimburse the City for the closing costs and site evaluation of the parcels.

The acquisition was authorized via RCSD resolution 2022-23:834 and will allow the RCSD to implement a permanent solution to meet the parking requirements for the World of Inquiry School No. 58.

The purchase price is \$1,100,000 and is supported through an independent appraisal performed by Midland Appraisal Associates, Inc. in March, 2023.

The costs of acquisition, including closing costs and site evaluation shall be funded through the RCSD 2023-24 Cash Capital.

City taxes and other current year charges against said parcels shall be canceled from the date of acquisition closing forward. If the present owner has paid any taxes or other current year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City owns the parcel, shall also be canceled.

Pursuant to the requirements of the New York State Environmental Quality Review Act (SEQRA), a determination of no significant adverse impacts has been made, and a Negative Declaration was issued on August 7, 2023.

Respectfully submitted,

Malik D. Evans  
Mayor



494 E. Main St, 500 E. Main St, 135 Scio St, 141 Scio St, 147 Scio St and 163 Scio St



July 27, 2023

This map is intended for general reference only.  
The City of Rochester makes no representation  
as to the accuracy or fitness of the data presented.



City of Rochester, NY

City of Rochester, NY  
Malik D. Evans, Mayor

352

Ordinance No.

**Authorizing the acquisition of real estate for the Rochester City School District's World of Inquiry School No. 58 and amending the 2023-24 Budget**

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

Section 1. The Council hereby approves the acquisition of the following seven parcels for the purchase price of \$1,100,000 in order to provide off-street parking spaces for the Rochester City School District (RCSD) World of Inquiry School No. 58:

<b>Property Address</b>	<b>SBL</b>
494 East Main St	106.81-1-26
500 East Main St	106.81-1-27
135 Scio St	106.81-1-28
141 Scio St	106.81-1-29
147 Scio St	106.81-1-30
151 Scio St	106.81-1-31
163 Scio St	106.81-1-32

Section 2. The costs of acquisition, including closing costs, shall be funded from the RCSD Cash Capital Fund in accordance with RCSD Board Resolution No. 2022-23: 834.

Section 3. City taxes and other current-year charges against said parcel shall be canceled from the date of closing forward. If the present owner has paid any taxes or other current-year charges attributable to the period after the closing, such charges shall be credited to such owner at closing, and may, if appropriate, be refunded. Any taxes levied after the date of closing, while the City still owns the parcels, shall also be canceled.

Section 4. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to Cash Capital by \$200,000 from anticipated reimbursements from the RCSD which are hereby appropriated to the City's site evaluation and closing costs for the acquisition approved herein.

Section 5. This ordinance shall take effect immediately.



**City of Rochester**

City Hall Room 308A, 30 Church Street  
Rochester, New York 14614-1290  
www.cityofrochester.gov

**Malik D. Evans**  
Mayor

**NEIGHBORHOOD &  
BUSINESS DEVELOPMENT  
INTRODUCTORY NO.**

**353**

August 29, 2023      NBD 09

TO THE COUNCIL

Ladies and Gentlemen:

Re: Zoning Map Amendment – 1040, 1044, 1100-1170, 1180, and 1186-1194 University Avenue

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties located at 1040, 1044, 1100-1170, 1180, and 1186-1194 University Avenue from the Manufacturing Industrial Planned Development District (MIPD #3) to the M-1 Industrial District.

The applicant, Ken Glazer, CEO of Buckingham Properties, proposes the map amendment because the current Zoning District, MIPD #3, is from the 1975 Zoning Code but was not carried over to the 2003 Zoning Code. This means that, technically, the MIPD #3 Zoning District does not exist because it does not have any corresponding regulations in the 2003 Code. These properties should have been rezoned shortly after the new Code was enacted. However, since that did not occur, any new use that was proposed for one of these buildings over the past 20 years was either the same as the previous use or close enough to be likened to the previous use.

The property owner is seeking the rezoning now because he would like to establish an event space in 1048 University Avenue, which cannot be likened to the previous use. The uses permitted in the M-1 Industrial District will closely align with those that were permitted in the MIPD #3 District, allowing any pre-existing manufacturing uses to remain in place, while also allowing reasonable repurposing of vacant spaces. In addition, rezoning these buildings to M-1 Industrial District will finally eliminate the MIPD #3 Zoning District from the Zoning Map, which should have happened years ago.

The City Planning Commission held an informational meeting on July 31, 2023. One person spoke in support of the rezoning, and no one spoke in opposition. By a vote of 5-1-0, the City Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

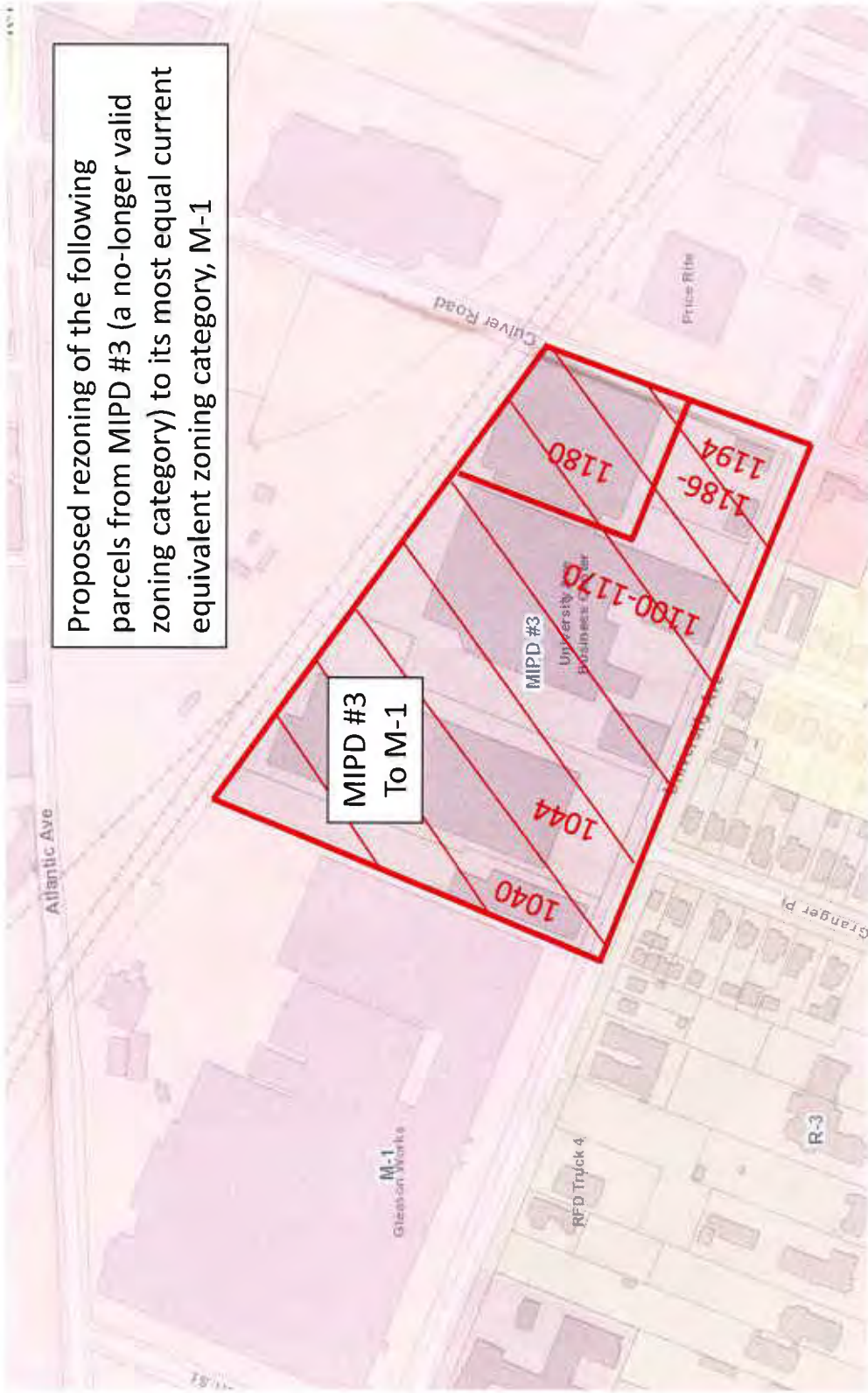
Respectfully submitted,

Malik D. Evans  
Mayor





Proposed rezoning of the following parcels from MIPD #3 (a no-longer valid zoning category) to its most equal current zoning category, M-1





**CITY PLANNING COMMISSION  
STAFF REPORT  
July 31, 2023**

**NBD 09  
ATTACHMENT**

**Zoning District Map Amendment**

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<b>Case Number:</b>	<b>1</b>	<b>Staff Reviewer:</b> Wes Grooms
<b>File Number:</b>	ZMA-001-23-24	
<b>Address:</b>	University Avenue (1040, 1044, 1100-1170, 1186-1194, and 1180)	
<b>Zoning:</b>	MIPD #3 (Manufacturing-Industrial Planned Development #3)	
<b>Applicant:</b>	Ken Glazer, owner   Aaron Malbone, property manager	
<b>Request:</b>	Changing the zoning classification of 1040, 1044, 1100-1170, 1186-1194, and 1180 University Avenue from MIPD #3 to M-1 and amend the Zoning District Map	
<b>Code Section:</b>	120-190C	
<b>Enforcement:</b>	No	

**Project Information**

Pursuant to 120-190C(1) & (2), the Zoning District Map may be amended from time to time by ordinance duly enacted by the City Council in light of changing, newly discovered or newly identified conditions, situations or knowledge, provided, however, that no such amendment shall be enacted except in accordance with the procedures set out in this section. Pursuant to 120-190C(3)(b), such Zoning District Map Amendments may be initiated by an owner of, or other person having a contractual interest in, real estate to be affected by the proposed amendment or by the owners of 50% or more of the frontage of real estate to be affected by the proposed amendment.

A complete application for a Zoning District Map Amendment has been received from the owner and property management firm of 1040, 1044, 1100-1170, and 1186-1194 University Avenue to amend the Zoning District Map by rezoning these properties, along with 1180 University Avenue, from the no-longer existing Manufacturing-Industrial Planned Development #3 classification to the current equivalent M-1 zoning classification. As owners of 50% or more of the frontage of the real estate that would be affected by this proposed amendment, they have included 1180 University Avenue in their rezoning application because their properties surround this parcel on two sides and because otherwise the parcel would be the only one remaining with the outdated MIPD #3 zoning classification. The owner of 1180 University Avenue is Life Storage, LP, with a mailing address in the Rochester Property Information Database being 6467 Main Street, Buffalo, NY 14221. Neither the applicant nor Zoning staff have been able in reaching this property owner regarding this matter. They were included in the case notification post card mailings.

**ZMA Procedure**

Pursuant to 120-190C(3)(c)[1], the Planning Commission shall hold an informational meeting and make a recommendation to the Rochester City Council in the matter of proposed zoning district map amendments. It is this requirement that has placed this matter before the City Planning Commission at the July 31, 2023 hearing. The Planning Commission shall make a recommendation to approve, approve subject to conditions or deny the application. The recommendation of the Planning Commission shall be transmitted to the City Clerk for City Council action. Pursuant to 120-190C(3)(c)[2], the Planning Commission shall consider and make findings on the following matters regarding proposed amendments to the Zoning District Map:

Staff Report  
ZMA-001-23-24  
University Avenue (1040, 1044, 1100-1170, 1186-1194, and 1180)  
Page 2

1. Consistency with the City's Comprehensive Plan and any other adopted special area plans.
2. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood.
3. Suitability of uses proposed by the zoning amendment for the property affected by the amendment.
4. Availability of public services and infrastructure generally suitable and adequate for uses allowed within the proposed district.

#### **SEQR/Chapter 48 Compliance**

In accordance with Article 8 of the New York State Conservation Law and Chapter 48 of the Rochester City Code, this project has been classified as a Type I Action.

#### **Attachments**

- A. Application to Amend the Zoning District Map and Project Information
- B. Signatures of Property Owners
- C. Applicant's answers to the Amendment Considerations (listed above)
- D. Legal description
- E. Zoning Maps for each parcel depicting the contextual environment
- F. Letter to owner of record of 1180 University Avenue





**AMENDMENT CONSIDERATIONS**

In making recommendations regarding amendments to the text of the Zoning Ordinance or to the Zoning Map, the Planning Commission shall consider and make findings on the following matters regarding the proposed amendment:

- A. The proposed Amendment conforms with the City's Comprehensive Plan, a Development Plan, and any other adopted special area plans.**

Yes.

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- B. The proposed Amendment is compatible with the present zoning and conforming uses of nearby property (ies) and with the character of the neighborhood.**

These parcels are currently surrounded by M-1 districts on (3) sides.

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- C. The proposed uses are suitable for the property (ies) affected by the Amendment.**

Yes.

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- D. There are available public facilities, services and infrastructure suitable and adequate for the uses allowed under the proposed amendment.**

The public facilities, services and infrastructure are in place for M-1 uses.

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**PROJECT INFORMATION**

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 1040, 1044, 1100-1170, 1186-1194 University Ave.

2. APPLICANT: Aaron Malbone COMPANY NAME: Buckingham Properties

ADDRESS: 259 Alexander Street CITY: Rochester ZIP CODE: 14607

PHONE: 585-295-9500 FAX: 585-295-9505

E-MAIL ADDRESS: amalbone@buckprop.com

INTEREST IN PROPERTY: Owner  Lessee  Other

3. PLAN PREPARER: N/A

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

4. ATTORNEY: N/A

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

5. ZONING DISTRICT: \_\_\_\_\_

6. DETAILED PROJECT DESCRIPTION (additional information can be attached): \_\_\_\_\_

We are requesting a zoning change for the above parcel to incorporate them into an M-1 district.

\_\_\_\_\_

\_\_\_\_\_

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:) \_\_\_\_\_

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: Aaron Malbone DATE: 6/21/23

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

SIGNATURE: [Signature] DATE: 6/21/23



City of Rochester, NY  
Malik D. Evans, Mayor

# 1040 University Ave - 14607

SBL: 122.29-1-5.001

SBL20: 12229000010050010000



**Owner Name:** University Bus Ctr LLC-COMIDA  
**Owner Address:** 259 Alexander St  
Rochester, NY 14607

**Frontage:** 120.05  
**Depth:** 934.28  
**Acreage:** 2.13  
**Use Code:** 464 - Office Building  
**Zoning:** MIPD# 3  
**Land Value:** \$180,000.00  
**Assessed Value:** \$1,598,700.00  
**Tentative Land Value:** \$180,000.00  
**Tentative Total Value:** \$1,598,700.00  
**Sale Date:** 01/01/1997  
**Sale Price:** \$1.00

## Structures

Building Type	Year Built	Gross Sq. Footage	# Identical
Manufacturing, 2-4 Story, Wood Mill Construction	1930	38,678	1
Manufacturing, 1 Story, Load Supporting Walls, Post	1945	9,768	1

## Used-As Square Footages

Used-As Sq. Footages Description	Sq. Footage
Light Manufacturing	9,768
Walk-Up Office	38,678

## Other Structures

No other structures.



# 1040 University Ave - 14607

SBL: 122.29-1-5.001

SBL20: 12229000010050010000

## Taxes

<b>Current Year Bill:</b>		\$711.60		
Installments	Amount Due	Date Paid	Payment	
7/31/2023	\$711.60		--	\$0.00
9/30/2023	\$0.00		--	\$0.00
1/31/2024	\$0.00		--	\$0.00
3/31/2024	\$0.00		--	\$0.00

Interest Paid: \$0.00  
True Tax Amount\*: \$55,601.37

**Remaining Amount Due (All Years)**

Principal Due: \$711.60  
Interest Due: \$0.00  
Total Amount Due: \$711.60

\* This is the value that would be owed if no exemptions are granted.

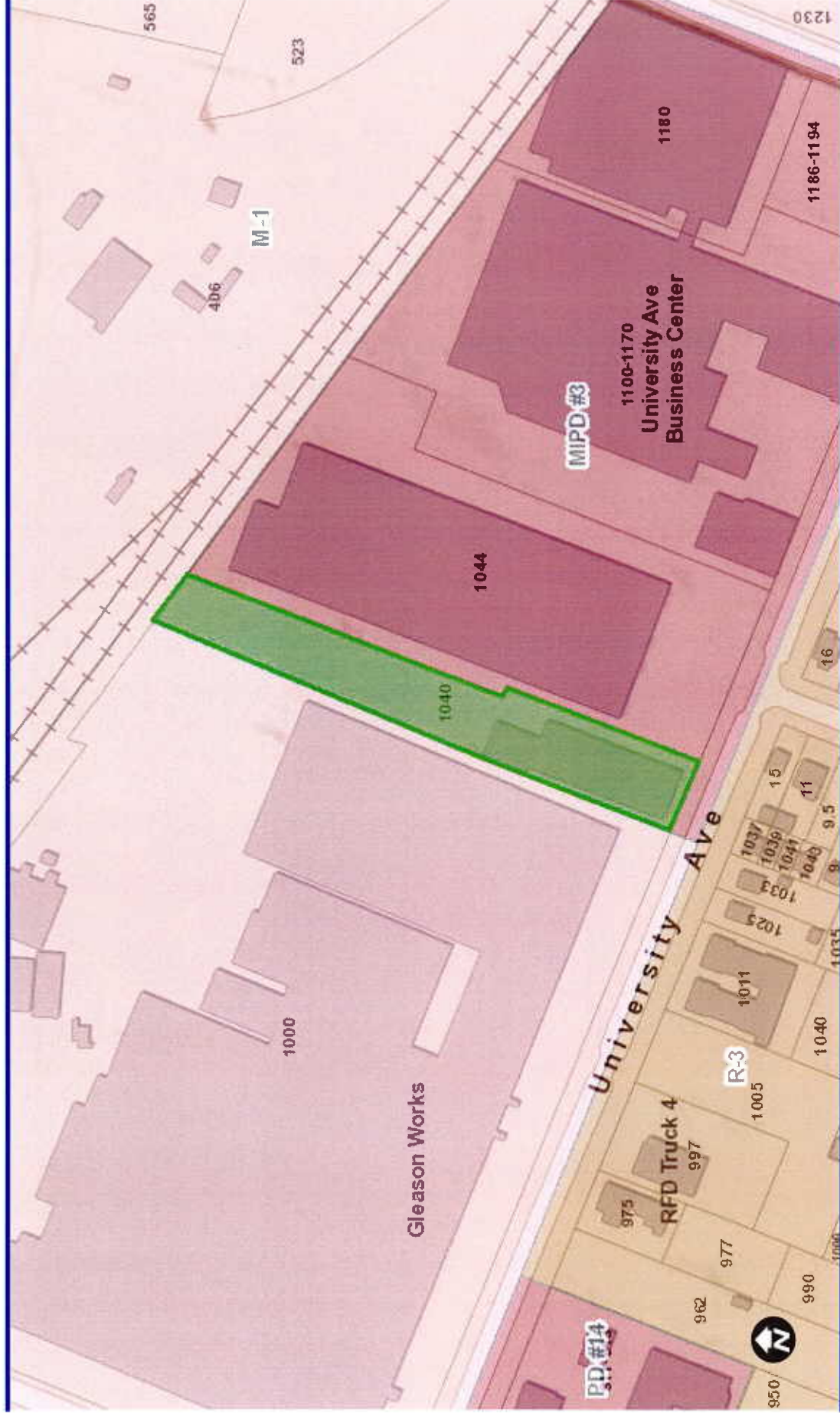
## Tax Exemptions

ExemptionCode	18020
ExemptionAmount	\$ 1,598,700.00
ExemptionPercent	0.00
InitialYear	2021
TermYear	0

## Special Districts

Special District Code	Special District Desc	Units
HSR00	Hazard sdwlk replace	120
RP600	Roadway snow plow	120
SC400	Street maint. full	120
SP700	Sidewalk snow plow	120

# 1040 University Ave



June 21, 2023

This map is intended for general reference only.  
The City of Rochester makes no representation  
as to the accuracy or fitness of the data presented.



City of Rochester, NY  
Malik D. Evans, Mayor

# City of Rochester, NY

# 1044 University Ave - 14607

SBL: 122.29-1-6

SBL20: 12229000010060000000

NBD 09  
ATTACHMENT



City of Rochester, NY  
Malik D. Evans, Mayor



**Owner Name:** University Business Center Llc  
**Owner Address:** 259 Alexander St  
Rochester, NY 14607  
**Frontage:** 0.00  
**Depth:** 0.00  
**Acreage:** 6.27  
**Use Code:** 710 - Manufacturer  
**Zoning:** MIPD# 3  
**Land Value:** \$492,800.00  
**Assessed Value:** \$2,564,100.00  
**Tentative Land Value:** \$492,800.00  
**Tentative Total Value:** \$2,564,100.00  
**Sale Date:** 01/01/1997  
**Sale Price:** \$1.00

## Structures

Building Type	Year Built	Gross Sq. Footage	# Identical
Office, 1 Story, Load Supporting Walls, Post, Beam	1930	9,080	1
Manufacturing, 1 Story, Steel	1930	137,440	1

## Used-As Square Footages

Used-As Sq. Footages Description	Sq. Footage
Distribution Warehouse	108,040
Indoor Health Spa	20,000
Light Manufacturing	9,400
Walk-Up Office	9,080

## Other Structures

No other structures.

# 1044 University Ave - 14607

SBL: 122.29-1-6

SBL20: 12229000010060000000

NBD 09  
ATTACHMENT



City of Rochester, NY  
Malik D. Evans, Mayor

## Taxes

Current Year Bill: \$89,773.30

Installments	Amount Due	Date Paid	Payment
7/31/2023	\$83,623.30		\$0.00
9/30/2023	\$2,050.00		\$0.00
1/31/2024	\$2,050.00		\$0.00
3/31/2024	\$2,050.00		\$0.00

Interest Paid: \$0.00

True Tax Amount\*: \$89,773.30

### Remaining Amount Due (All Years)

Principal Due: \$89,773.30

Interest Due: \$0.00

Total Amount Due: \$89,773.30

\* This is the value that would be owed if no exemptions are granted.

## Tax Exemptions

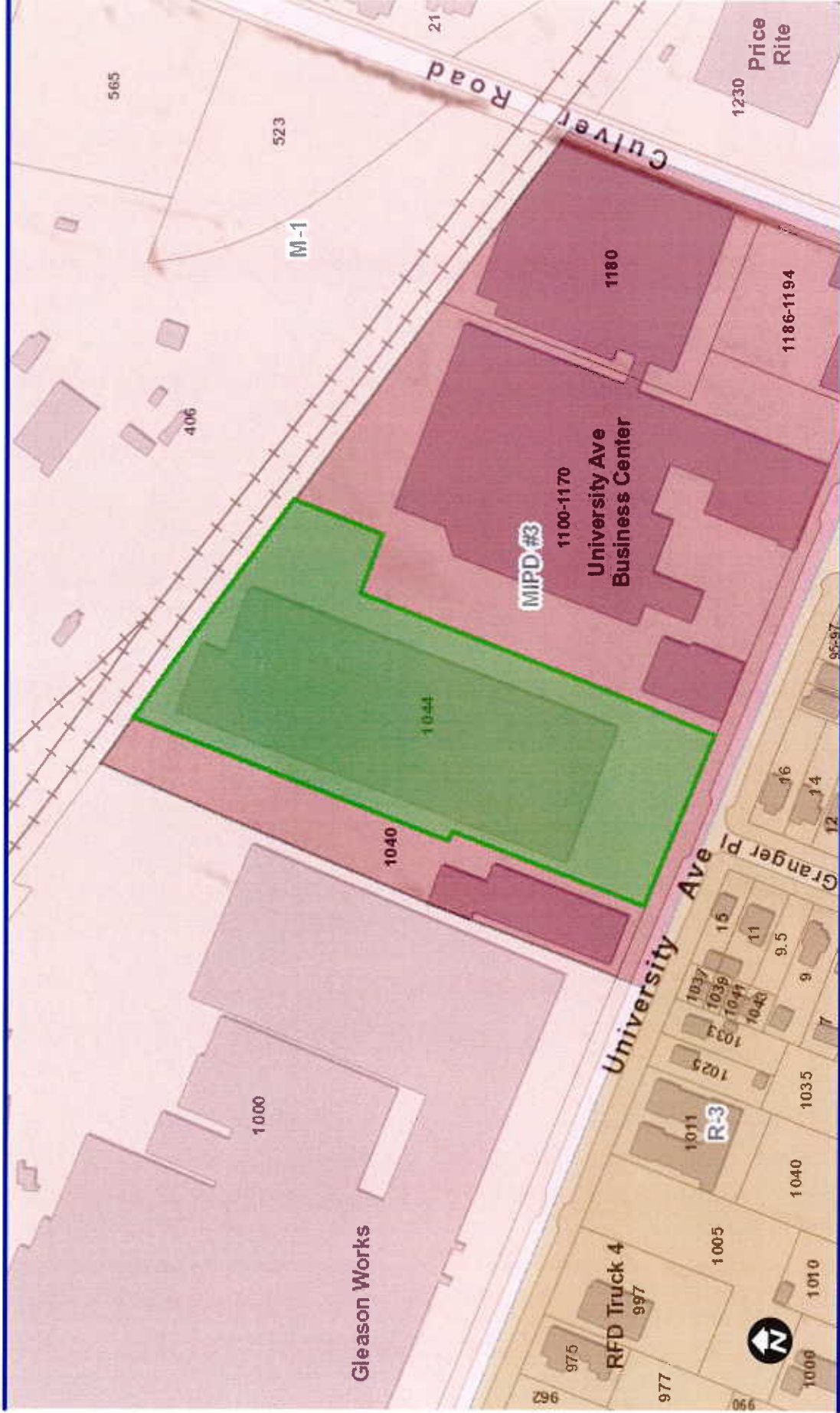
No tax exemptions found.

## Special Districts

Special District Code	Special District Desc	Units
HSR00	Hazard sdwlk replace	293
RP600	Roadway snow plow	293
SC400	Street maint. full	293
SP700	Sidewalk snow plow	293

# 1044 University Ave

NBD 09  
ATTACHMENT



June 21, 2023

This map is intended for general reference only.  
The City of Rochester makes no representation  
as to the accuracy or fitness of the data presented.

## City of Rochester, NY



City of Rochester, NY  
Malik D. Evans, Mayor



# 1100-1170 University Ave - 14607

NBD 09  
ATTACHMENT



City of Rochester, NY  
Malik D. Evans, Mayor

SBL: 122.30-1-9.003

SBL20: 12230000010090030000



<b>Owner Name:</b>	University Business Center Llc
<b>Owner Address:</b>	259 Alexander St Rochester, NY 14607
<b>Frontage:</b>	569.66
<b>Depth:</b>	768.72
<b>Acreage:</b>	8.19
<b>Use Code:</b>	710 - Manufacturer
<b>Zoning:</b>	MIPD# 3
<b>Land Value:</b>	\$498,000.00
<b>Assessed Value:</b>	\$2,800,000.00
<b>Tentative Land Value:</b>	\$498,000.00
<b>Tentative Total Value:</b>	\$2,800,000.00
<b>Sale Date:</b>	01/01/1997
<b>Sale Price:</b>	\$1.00

## Structures

Building Type	Year Built	Gross Sq. Footage	# Identical
Manufacturing, 1 Story, Wood Mill Construction	1931	137,306	1
Office, 2-4 Story, Load Supporting Walls, Post, Beam	1931	27,200	1
Office, 2-4 Story, Load Supporting Walls, Post, Beam	1931	37,912	1

## Used-As Square Footages

Used-As Sq. Footages Description	Sq. Footage
Distribution Warehouse	56,652
Health Spa w/ Indoor Pool	7,100
Light Manufacturing	11,100
Non-Contributable Area	19,740
Walk-Up Office	128,566

## Other Structures

Accessory	Dimension 1	Dimension 2	Year Built	# Identical
Paving, Asphalt	144000	4	1990	1
Fence, Chain-link	880	6	1960	1

# 1100-1170 University Ave - 14607

SBL: 122.30-1-9.003

SBL20: 12230000010090030000

NBD 09  
ATTACHMENT



City of Rochester, NY  
Malik D. Evans, Mayor

## Taxes

Current Year Bill: \$99,059.59

Installments	Amount Due	Date Paid	Payment
7/31/2023	\$92,909.59		\$0.00
9/30/2023	\$2,050.00		\$0.00
1/31/2024	\$2,050.00		\$0.00
3/31/2024	\$2,050.00		\$0.00

Interest Paid: \$0.00

True Tax Amount\*: \$99,509.37

### Remaining Amount Due (All Years)

Principal Due: \$99,059.59

Interest Due: \$0.00

Total Amount Due: \$99,059.59

\* This is the value that would be owed if no exemptions are granted.

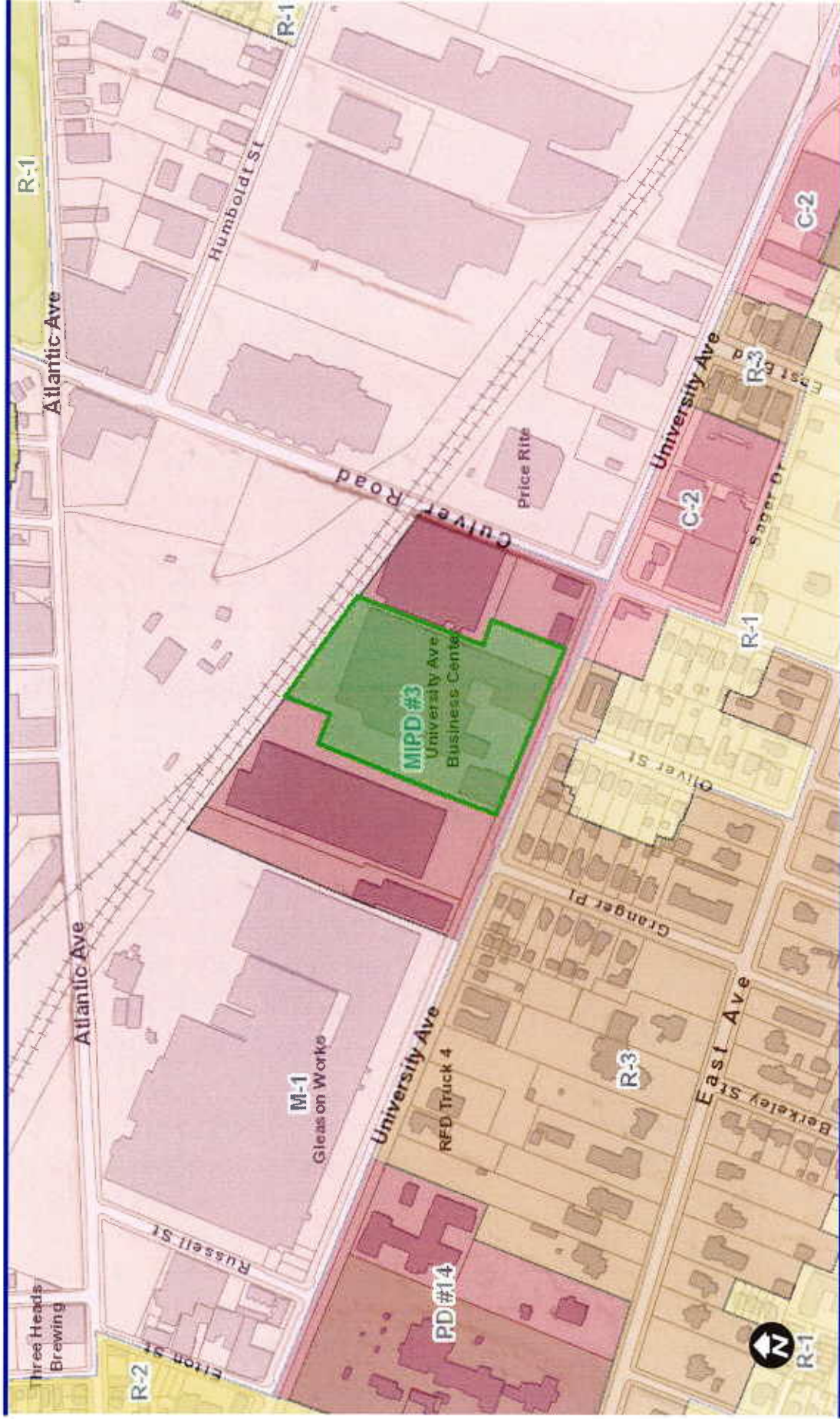
## Tax Exemptions

ExemptionCode	47610
ExemptionAmount	\$ 13,100.00
ExemptionPercent	0.00
InitialYear	2023
TermYear	2024

## Special Districts

Special District Code	Special District Desc	Units
HSR00	Hazard sdwlk replace	569
RP600	Roadway snow plow	569
SC400	Street maint. full	569
SP700	Sidewalk snow plow	569

# 1100-1170 University Ave



June 21, 2023

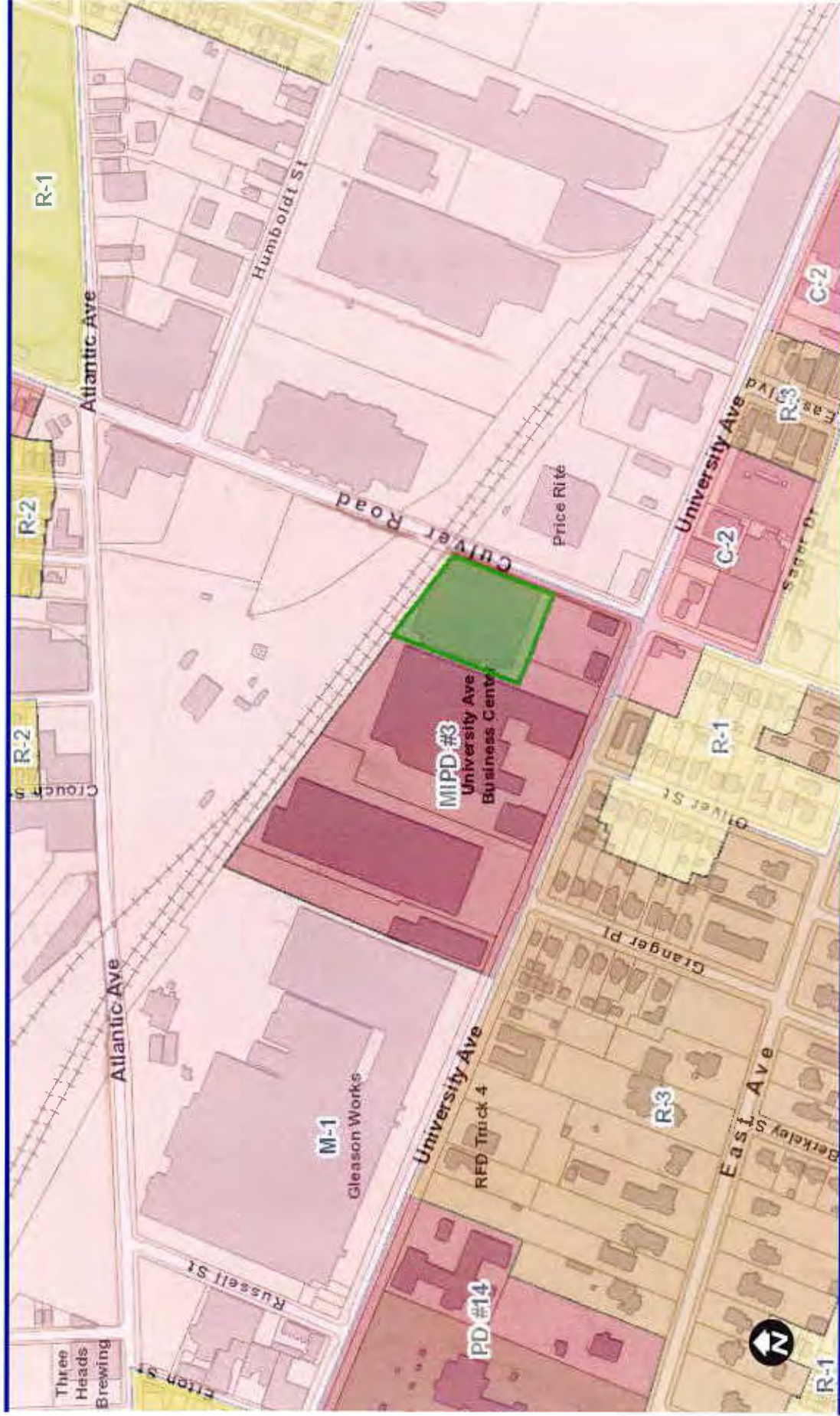
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as to the accuracy or fitness of the data presented.



City of Rochester, NY  
Malik D. Evans, Mayor

## City of Rochester, NY

# 1180 University Ave



June 21, 2023

This map is intended for general reference only.  
The City of Rochester makes no representation  
as to the accuracy or fitness of the data presented.



City of Rochester, NY  
Malik D. Evans, Mayor

## City of Rochester, NY

# 1180 University Ave - 14607

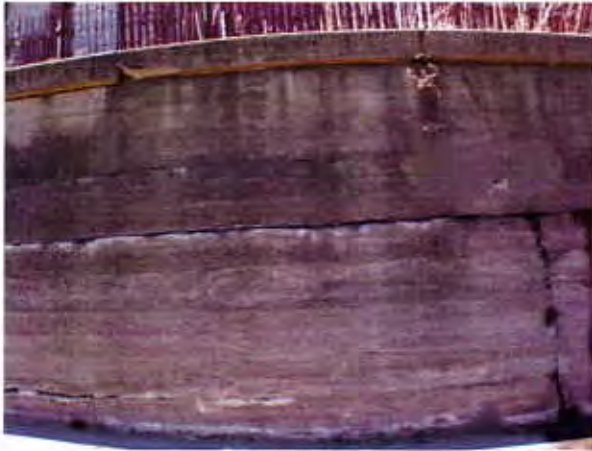
SBL: 122.30-1-9.004

SBL20: 12230000010090040000

NBD 09  
ATTACHMENT



City of Rochester, NY  
Malik D. Evans, Mayor



<b>Owner Name:</b>	Life Storage Lp
<b>Owner Address:</b>	6467 Main St Buffalo, NY 14221
<b>Frontage:</b>	306.16
<b>Depth:</b>	428.63
<b>Acreage:</b>	2.71
<b>Use Code:</b>	442 - Mini Warehouse Self-Storage
<b>Zoning:</b>	MIPD# 3
<b>Land Value:</b>	\$162,000.00
<b>Assessed Value:</b>	\$1,850,000.00
<b>Tentative Land Value:</b>	\$162,000.00
<b>Tentative Total Value:</b>	\$1,850,000.00
<b>Sale Date:</b>	12/20/1996
<b>Sale Price:</b>	\$2,400,000.00

## Structures

Building Type	Year Built	Gross Sq. Footage	# Identical
Warehouse, 1 Story, Load Supporting Walls, Post	1931	90,617	1

## Used-As Square Footages

Used-As Sq. Footages Description	Sq. Footage
Mini-Warehouse	89,717
Walk-Up Office	900

## Other Structures

Accessory	Dimension 1	Dimension 2	Year Built	# Identical
Paving, Asphalt	25400	0	1990	1

# 1180 University Ave - 14607

SBL: 122.30-1-9.004

SBL20: 12230000010090040000

NBD 09  
ATTACHMENT



City of Rochester, NY  
Malik D. Evans, Mayor

## Taxes

Current Year Bill: \$65,023.04

Installments	Amount Due	Date Paid	Payment
7/31/2023	\$58,873.04		\$0.00
9/30/2023	\$2,050.00		\$0.00
1/31/2024	\$2,050.00		\$0.00
3/31/2024	\$2,050.00		\$0.00

Interest Paid: \$0.00

True Tax Amount\*: \$65,023.04

### Remaining Amount Due (All Years)

Principal Due: \$65,023.04

Interest Due: \$0.00

Total Amount Due: \$65,023.04

\* This is the value that would be owed if no exemptions are granted.

## Tax Exemptions

No tax exemptions found.

## Special Districts

Special District Code	Special District Desc	Units
RP600	Roadway snow plow	342
SC400	Street maint. full	342

# 1186-1194 University Ave - 14607

SBL: 122.30-1-9.002

SBL20: 12230000010090020000

NBD 09  
ATTACHMENT



City of Rochester, NY  
Malik D. Evans, Mayor



**Owner Name:** University Business Center Llc  
**Owner Address:** 259 Alexander St  
 Rochester, NY 14607  
**Frontage:** 221.40  
**Depth:** 253.00  
**Acreage:** 1.27  
**Use Code:** 433 - Auto Body  
**Zoning:** MIPD# 3  
**Land Value:** \$110,000.00  
**Assessed Value:** \$517,600.00  
**Tentative Land Value:** \$110,000.00  
**Tentative Total Value:** \$517,600.00  
**Sale Date:** 01/01/1997  
**Sale Price:** \$1.00

## Structures

Building Type	Year Built	Gross Sq. Footage	# Identical
Automotive Drive-In Shop, 1 Story, Load Supporting Walls	1993	4,470	1
Store or Shop, 1 Story, Load Supporting Walls	1993	4,796	1

## Used-As Square Footages

Used-As Sq. Footages Description	Sq. Footage
Body Shop	4,470
Small Retail	4,796

## Other Structures

Accessory	Dimension 1	Dimension 2	Year Built	# Identical
Paving, Asphalt	41250	0	1994	1

# 1186-1194 University Ave - 14607

SBL: 122.30-1-9.002

SBL20: 12230000010090020000

NBD 09  
ATTACHMENT



City of Rochester, NY  
Malik D. Evans, Mayor

## Taxes

Current Year Bill: \$19,451.50

Installments	Amount Due	Date Paid	Payment
7/31/2023	\$13,301.50	--	\$0.00
9/30/2023	\$2,050.00	--	\$0.00
1/31/2024	\$2,050.00	--	\$0.00
3/31/2024	\$2,050.00	--	\$0.00

Interest Paid: \$0.00

True Tax Amount\*: \$19,451.50

### Remaining Amount Due (All Years)

Principal Due: \$19,451.50

Interest Due: \$0.00

Total Amount Due: \$19,451.50

\* This is the value that would be owed if no exemptions are granted.

## Tax Exemptions

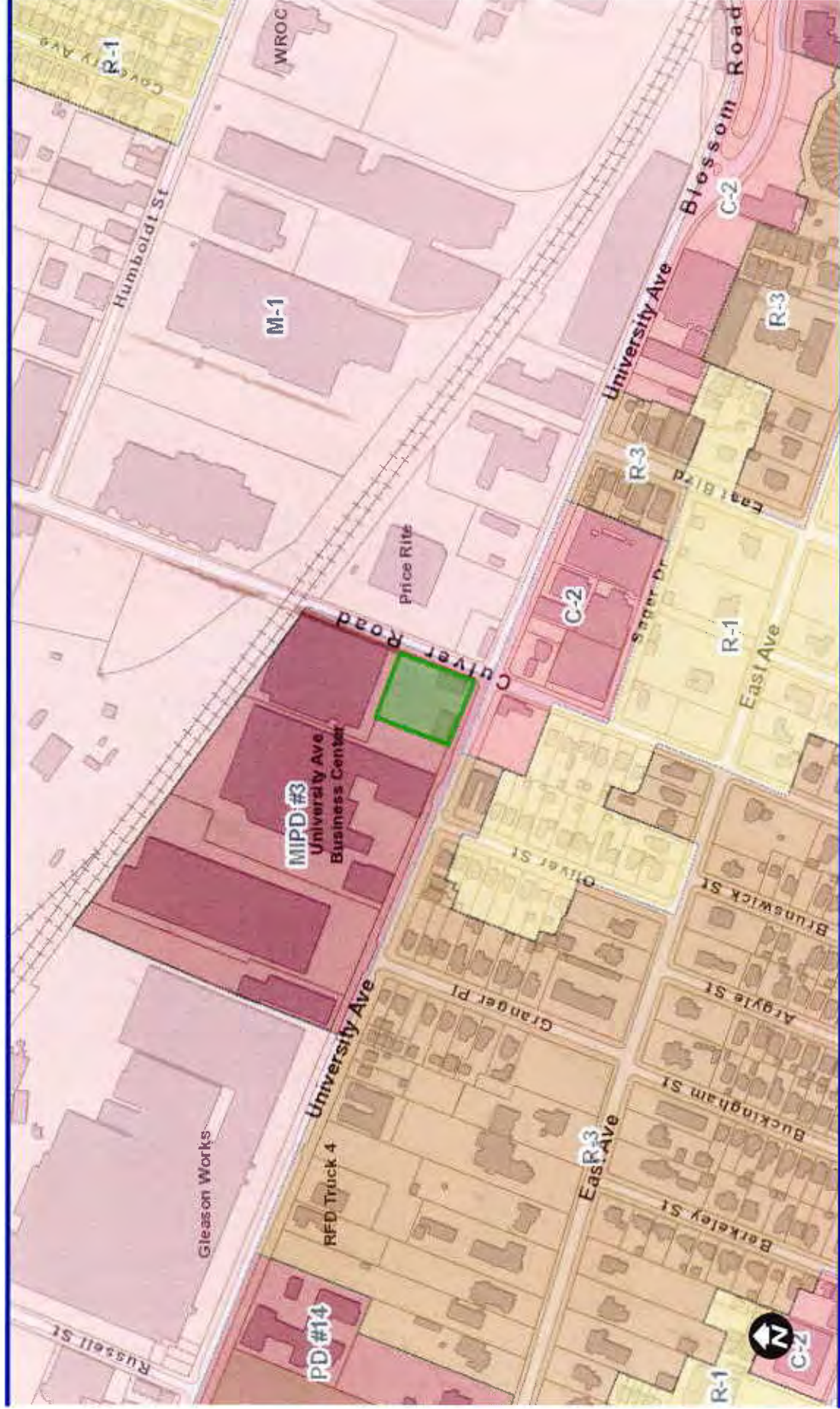
No tax exemptions found.

## Special Districts

Special District Code	Special District Desc	Units
HSR00	Hazard sdwlc replace	221
RP600	Roadway snow plow	305
SC400	Street maint. full	305
SP700	Sidewalk snow plow	221



# 1186-1194 University Ave



June 21, 2023

This map is intended for general reference only.  
The City of Rochester makes no representation  
as to the accuracy or fitness of the data presented.



City of Rochester, NY  
Malik D. Evans, Mayor

## City of Rochester, NY



City of Rochester, NY

**BOARD/COMMISSION MEMBER SITE VISIT**

As part of their responsibilities for reviewing your application, members of land use boards and commissions are required to conduct site visits of the subject property to enable them to observe the property and the context of the neighborhood and adjacent properties. Some applications involve a project that is not wholly visible from the public right-of-way and it may be necessary for members to access your property to observe portions of the exterior of the property not visible from the right-of-way.

By signing below, you are attesting that you understand this information and authorize members to enter onto the property, including side and rear yards, as necessary to conduct their site visit for your application.

AARON MAUBONE

Signature of Property Owner

7/14/23

Date

Please note that if you do not authorize the members to access your property, you must provide additional photographic evidence of all areas of your property not visible from the right-of-way. Failure to permit property access to members or to provide adequate photographic evidence may result in the denial of your application if there is insufficient evidence to establish that the standards have been met.

**§ 120-80. Purpose. [Amended 12-20-2005 by Ord. No. 2005-394]**

The M-1 Industrial District promotes the retention and growth of employment opportunities by providing areas where a broad range of industrial uses may locate and where options for complementary uses exist in older two-story and multistory buildings. The obsolescence of many industrial buildings for traditional manufacturing purposes is recognized, and the reoccupancy and redevelopment of those buildings are encouraged through the allowance of retail sales and services, offices, eating and drinking establishments. Residential conversions are permitted primarily to accommodate loft-style living spaces and to meet the needs of those seeking the benefits of live-work arrangements.

**§ 120-81. Permitted uses and structures. [Amended 6-17-2003 by Ord. No. 2003-183; 12-20-2005 by Ord. No. 2005-394]****A. The following uses are permitted in the M-1 District: [Amended 9-21-2010 by Ord. No. 2010-323; 7-19-2011 by Ord. No. 2011-247<sup>1</sup>]**

- (1) The following uses are permitted when conducted in a fully enclosed building:
  - (a) Research laboratories including testing facilities.
  - (b) Corporate headquarters, regional headquarters and their administrative offices.
  - (c) Local service offices such as real estate sales, insurance agencies, doctors' offices, or other offices typically found in commercial districts only when in a structure or integrated complex of at least 25,000 square feet of gross floor area.
  - (d) Manufacturing, high-tech or light industrial uses.
  - (e) Warehouses and wholesale distribution facilities.
  - (f) Mixed-use facilities, a minimum of 25,000 square feet at initial development, developed according to an approved site plan.
  - (g) Vehicle repair stations within an existing building, subject to the additional requirements for specified uses in § 120-152.
  - (h) Vehicle and equipment rental, sales and storage within an existing building, subject to the additional requirements for specified uses in Article XVIII.
  - (i) Recycling centers, subject to the additional requirements for specified uses in § 120-145.
  - (j) Technical and vocational schools.
  - (k) Animal hospitals and kennels including breeding, boarding and health care.
  - (l) Sexually oriented businesses, subject to the additional requirements for specified uses in § 120-148, including adult arcade, adult cabaret, adult movie theater, limited adult retail store, adult retail store and escort agency.
  - (m) Self-service storage.
  - (n) <sup>2</sup>Limited entertainment, not including sexually oriented uses. [Added 11-12-2019 by Ord.

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1. Editor's Note: This ordinance provided an effective date of 9-1-2011.

2. Editor's Note: Former Subsection A(1)(n), Retail sales and service, added 9-19-2012 by Ord. No. 2012-363, as amended, was repealed 9-14-2016 by Ord. No. 2016-303.

(2) Ancillary parking lots and garages, subject to the additional requirements for specified uses in § 120-131.

(3) Community garages and parking lots.

B. The following uses are permitted in the M-1 District when located in any existing multistory building or a single-story building not originally designed for industrial purposes: **[Amended 9-21-2010 by Ord. No. 2010-323]**

(1) Dwelling unit conversions.

(2) Live-work space, subject to the additional requirements for specified uses in § 120-142.1.

(3) Retail sales and service; provided, however, that retail sales and service establishments licensed by New York State as adult-use cannabis retail dispensaries shall be restricted to liquor store hours. **[Amended 9-19-2012 by Ord. No. 2012-363; 8-9-2016 by Ord. No. 2016-263; 11-3-2022 by Ord. No. 2022-322]**

(4) <sup>3</sup>Offices and clinics. **[Amended 9-19-2012 by Ord. No. 2012-363]**

(5) Bars, restaurants and banquet facilities. **[Amended 9-19-2012 by Ord. No. 2012-363]**

(6) Public entertainment, subject to the additional requirements for specified uses in § 120-137. **[Amended 11-12-2019 by Ord. No. 2019-325]**

(7) Public and semipublic uses. **[Amended 7-19-2011 by Ord. No. 2011-247]**

(8) Day-care centers.

(9) Funeral parlors and mortuaries. **[Added 9-21-2010 by Ord. No. 2010-323]**

(10) Places of worship. **[Added 7-19-2011 by Ord. No. 2011-247]**

(11) Pawnbrokers. **[Added 8-9-2016 by Ord. No. 2016-263]**

(12) Secondhand dealers. **[Added 8-9-2016 by Ord. No. 2016-263]**

(13) On-site cannabis consumption lounges operating during bar hours, but no later than 11:00 p.m. **[Added 11-3-2022 by Ord. No. 2022-322]**

C. When developed in conjunction with approved industrial uses, the following uses are permitted in the M-1 District, provided that such limited uses constitute no more than 15% of the developed floor area of the project: **[Amended 7-19-2011 by Ord. No. 2011-247]**

(1) Bars, cocktail lounges and taverns.

(2) Restaurants.

(3) Day-care centers when located, arranged and integrated within the development to serve primarily the needs of employees and businesses in and near the M-1 District, and subject to the additional requirements for specified uses in § 120-135.

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3. Editor's Note: Former Subsection B(4), Retail sales and service, specialty, added 9-19-2012 by Ord. No. 2012-363, was repealed 8-9-2016 by Ord. No. 2016-263, which ordinance also redesignated former Subsection B(5) through (11) as Subsection B(4) through (10), respectively.

- § 120-81 (4) Retail sales and services; provided, however, that retail sales and service establishments licensed by New York State as adult-use cannabis retail dispensaries shall be restricted to liquor store hours. [Amended 11-3-2022 by Ord. No. 2022-322] § 120-83
- (5) Health clubs and similar facilities.
- (6) On-site cannabis consumption lounges operating during bar hours, but no later than 11:00 p.m. [Added 11-3-2022 by Ord. No. 2022-322]

**§ 120-83. Special permit uses. [Amended 7-27-2004 by Ord. No. 2004-240; 12-20-2005 by Ord. No. 2005-394]**

The following uses are allowed as special permit uses in the M-1 District:

- A. The following uses, when located in a single-story building originally designed for industrial purposes or a vacant lot, subject to a marketability analysis as set forth in § 120-192. The Planning Commission may, in approving a special permit, waive or modify the off-street parking requirements if it finds such action is warranted by reason of the nature of the occupancy, location of the property or availability of shared or public parking facilities.
- (1) Retail sales and services; provided, however, that retail sales and service establishments licensed by New York State as adult-use cannabis retail dispensaries shall be restricted to operating during liquor store hours. [Amended 9-19-2012 by Ord. No. 2012-363; 8-9-2016 by Ord. No. 2016-263; 11-3-2022 by Ord. No. 2022-322]
  - (2) Offices or clinics.
  - (3) Bars and restaurants. [Amended 9-19-2012 by Ord. No. 2012-363<sup>4</sup>]
  - (4) Motels and hotels.
  - (5) Amusement centers. [Amended 7-19-2011 by Ord. No. 2011-247]
  - (6) Public and semipublic uses. [Amended 7-19-2011 by Ord. No. 2011-247]
  - (7) Health clubs. [Amended 7-19-2011 by Ord. No. 2011-247]
  - (8) Mixed uses. [Amended 7-19-2011 by Ord. No. 2011-247]
  - (9) Public entertainment, subject to the additional requirements for specified uses in § 120-137. [Amended 7-19-2011 by Ord. No. 2011-247; 11-12-2019 by Ord. No. 2019-325]
  - (10) Places of worship.<sup>5</sup> [Amended 7-19-2011 by Ord. No. 2011-247]
  - (11) On-site cannabis consumption lounges operating during bar hours, but no later than 11:00 p.m. The Planning Commission may extend the permissible operating hours to bar hours later than 11:00 p.m. if it finds such action is warranted by reason of unique conditions of the particular operating space or by reason of the particular character of surrounding tenant spaces and properties. [Added 11-3-2022 by Ord. No. 2022-322]
- B. Manufacturing, high-tech or light industrial, and all vehicle-related uses when not conducted in a

4. Editor's Note: This ordinance also repealed former Subsection A(4), Restaurants, and provided for the redesignation of former Subsection A(5) through (11) as Subsection A(4) through (10).

5. Editor's Note: Former Subsection A(11), Pawnbrokers, as amended, which immediately followed this subsection, was repealed 8-9-2016 by Ord. No. 2016-263.

§ 120-83

§ 120-83

fully enclosed building.

- C. The following uses, when located at least 200 feet from any residential or open-space district:
- (1) Concrete batching and asphalt mixing.
  - (2) Fuel and oil distributors.
  - (3) Food processing.
  - (4) Production of chemical, rubber, leather, clay, bone, plastic, stone, paper and glass materials or products.
  - (5) Similar manufacturing uses as determined by the Manager of Zoning. **[Amended 6-16-2009 by Ord. No. 2009-179; 6-20-2017 by Ord. No. 2017-170]**
- D. Homeless shelters, subject to the additional requirements for specified uses in § 120-141.
- E. Homeless residential facilities, subject to the additional requirements for specified uses in § 120-140.
- F. Public and semipublic uses, including but not limited to library, police stations and fire stations but excluding schools.
- G. Public utilities, subject to the additional requirements for specified uses in § 120-144.
- H. Entertainment uses, parks, playfields, playgrounds, stadiums, and outdoor recreations.
- I. Truck centers, subject to the additional requirements for specified uses in § 120-150.
- J. Railroad yards and freight centers.
- K. Waste stations, subject to the additional requirements for specified uses in § 120-155.
- L. Junkyards or salvage yards, subject to the additional requirements for specified uses in § 120-142 and the following: **[Amended 9-21-2010 by Ord. No. 2010-323]**
- (1) All junkyard materials and activities not within completely enclosed buildings shall be surrounded by a solid stable fence or wall of acceptable design to be at least eight feet in height, but no more than 15 feet, surfaced so as to be resistant to damage from the elements and from stored materials and erected and maintained in a manner to provide effective screening of the premises.
  - (2) Storage piles shall not exceed the height of the fence surrounding the materials.
- M. The new construction of vehicle-related uses, including car washes, vehicle service and repair stations, vehicle rental services and vehicle sales, subject to the additional requirements for specified uses in Article XVIII. **[Added 9-21-2010 by Ord. No. 2010-323]**
- N. Outdoor storage/sales of construction materials, equipment and vehicles subject to § 120-175. **[Added 9-21-2010 by Ord. No. 2010-323]**
- O. Animal hospitals and kennels when not within a fully enclosed building. **[Added 7-19-2011 by Ord. No. 2011-247]**

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6. Editor's Note: Former Subsection C(1), concerning outdoor storage and sales of construction items, was repealed 9-21-2010 by Ord. No. 2010-323, which ordinance also provided for the renumbering of former Subsection C(2) through (6) as Subsection C(1) through (5), respectively.

§ 120-83

§ 120-83

- P. Outdoor activities accessory to a permitted use. **[Added 7-19-2011 by Ord. No. 2011-247]**
- Q. Shooting ranges subject to the additional requirements for specified uses in § 120-148.1. **[Added 7-19-2011 by Ord. No. 2011-247]**
- R. Solar energy system, subject to a marketability analysis as set forth in § 120-192 and subject to the requirements for specified uses in § 120-148.2. **[Added 9-16-2015 by Ord. No. 2015-295]**

**CITY PLANNING COMMISSION INFORMATIONAL MEETING  
MEETING MINUTES (07/31/23)  
ZONING MAP AMENDMENT**

**Manufacturing-Industrial Planned Development #3  
Page 1**

**APPLICANT:** Ken Glazer, Owner; Aaron Malbone, Tenant;

**PURPOSE:** Rezone a series of adjacent parcels that were zoned as Manufacturing-Industrial Planned Development #3 in the 1973 zoning code that were not converted to M-1 in the 2003 update. Applicant is proposing rezoning 1180 University similarly as it is also currently MIPD #3 and should be M-1 because it is surrounded by the other properties; Owner/Representative of 1180 University has been unresponsive to attempts at contact.

**APPLICANT AND/OR REPRESENTATIVE PRESENTATION:**

**Applicant's Representative:**

Good Evening, my name is Aaron Malbone with Buckingham properties address is 259 Alexander Street Rochester, NY. We're really just asking for the Zoning change for these parcels to get to the historical use that is was before the 2003 Comprehensive plan seem to be somewhat overlooked. All of the uses and the historical uses of the tenancies in the building are compliant or go along with the types of uses and zoning requirements that are in that district. We would just like to make it right, ultimately that is why we are here.

**Commissioner Watson:** Anythig else?

**Applicant:** No, I can answer questions from you guys.

**Commissioner Watson:** Any questions for the applicant? Mr. Flowers...

**QUESTIONS FROM COMMISSION MEMBERS AND APPLICANT'S RESPONSE:**

**Commissioner Flowers:** Thanks Dave, can you speak a little bit to tenancy. The request is for us to put it into a M district. Some of the work that we have been doing in general as a board is thinking about The 2034 Plan and the shift to the Zoning Alignment Project, so we keep that in consideration. With that color in mind what types of use(s) do you anticipate for this with current and ongoing tenants? And is it more aligned with an Industrial type of neighborhood or zoning map or would It be closer to what is proposed which is a Flexible Mixed use or more of a community based type of zoning space?

**Applicant:** So the tenancies that are in there now, we have everything from small office, light industrial type of uses there is some retail and event space like Hot Shots. We certainly would like to keep the variety of that in the facility. We love that it can touch the community in the way that it does. We want it to be a live work space as well and certainly desire it have multiple uses for the 2034



**Manufacturing-Industrial Planned Development #3  
Page 2**

Plan I think it is. We would love for that to continue to be that way and incorporate that into the plan. An overall yes.

**Commissioner Flowers:** I was doing some research just in the specifics between FMU and industrial before coming to this in our earlier Pre-Meeting. It seems to me that aside from heavy industrial uses FMU may actually be more flexible as an overlay for some of the things you are talking about which are more community-based type of things. Have you given any sort of consideration to not having it go M-1 but instead trying to have it be community center which will be the easy pass through?

**Applicant:** The M-1 recommendation was something that was recommended by the city and that's what we went with. We're really open to anything that helps us continue to operate the facility in a way that it currently is.

**Commissioner Flowers:** Got it, thank you.

**Commissioner Watson:** Any questions for the applicant?

(none)

**Commissioner Watson:** Thank you sir.

**Applicant:** You guys are easy,

**Commissioner Watson:** Don't speak to soon. At this time, we will ask is there anyone who would like to speak in favor of this application to please step forward?

**Commissioner Watson:** Anyone in favor of this application to please step forward? Is there anyone in opposition please step forward? Anyone in opposition? Seeing none this case is closed.

**PUBLIC TESTIMONY: NONE**

**Commissioner Watson:** Seeing none this case is closed.

**HEARING ENDS**



**CITY PLANNING COMMISSION**

**RECOMMENDATION**

**ZONING MAP AMENDMENT**

**Re: To amend the Zoning Map by rezoning 1040, 1044, 1100-1170, 1180, and 1186-1194 University Avenue from MIPD #3 to M-1 Industrial, thereby removing these parcels from a Zoning district not included in the existing code and allowing the Zoning Division to regulate land use on these parcels.**

**Case No: ZMA-001-23-24**

**Resolution:**

**RESOLVED**, that the City Planning Commission (Commission) **RECOMMENDS** approval of a request to amend the Zoning Map by rezoning 1040, 1044, 1100-1170, 1180, and 1186-1194 University Avenue from MIPD #3 to M-1, thereby removing these parcels from a Zoning district not included in the existing code and allowing the Zoning Division to regulate land use on these parcels.

**Vote: Motion Passes**

**Action: Recommend Approval**

**Filing Date: 8-29-23**

**Record of Votes: 5-1-0**

- |                 |                           |
|-----------------|---------------------------|
| D. Watson       | Recommend Approval        |
| E. Marlin       | Recommend Approval        |
| J. Roby-Davison | Recommend Approval        |
| N. Carleton     | Recommend Approval        |
| M. Pichardo     | Recommend Approval        |
| B. Flower       | DO NOT Recommend Approval |
| K. Harding      | NOT PRESENT               |



### **Action by City Council**

Pursuant to Zoning Code 120-190C(3)(d), within 40 days of the receipt by the City Clerk of this recommendation, the City Council shall conduct a public hearing and either approve the application by ordinance duly enacted or adopt the proposed amendment, with or without conditions, or deny the application; provided, however, that the deadline to act shall be extended to 120 days in the event that the City Council, within the 40-day deadline, requests further information about the proposal from the Manager of Zoning. The failure of the City Council to act within the time limit herein specified shall be deemed a refusal of the proposed amendment.

### **Findings**

Pursuant to 120-190C(3)(c)[2], in making recommendations regarding amendments to the text of the Zoning Ordinance or to the Zoning Map, the Planning Commission shall consider and make findings on the following matters regarding the proposed amendment:

#### **A. Consistency with the City's Comprehensive Plan and any other adopted special area plans.**

The Placemaking Plan of Rochester 2034 serves as the geographic vision for how land uses and urban form should change and be preserved over time. The Placemaking Plan contains Character Areas which are the land use recommendation that will be used to inform a new zoning map.

The Placemaking Plan locates the subject parcels in the future Flexible Mixed-Use zoning classification, specifically those parcels "on the north of University Avenue east of Elton Street." The Flexible Mixed-Use district reflects the "growing popularity of loft residences, unique businesses, artisanal crafts and production, and creative adaptive re-use of legacy industrial buildings. The current and proposed uses of the subject parcels reflects both the current M-1 Industrial classification and the future flexible mixed-use classification.

#### **B. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood.**

The MIPD #3 zoning classification permitted manufacturing and industrial uses within a planned development area. The 2003 zoning code and map updates resulted in most parcels classified as MIPD being rezoned to M-1 or incorporated into their own planned development districts. The land to the West, North, and East of the subject parcels are all zoned M-1. The rezoning permits the Division of Zoning to regulate land use on the subject parcels in a manner similar to parcels nearby while facilitating their rezoning through the Zoning Alignment Project.

#### **C. Suitability of uses proposed by the zoning amendment for the property affected by the amendment.**

The proposed map amendment is associated with the applicant's proposal to lease space to a tenant seeking to operate an event space. Event spaces are permitted as-of-right in the M-1 District when located in any existing multi-story building or a single-story building not originally designed for industrial purposes.

**D. Availability of public services and infrastructure generally suitable and adequate for uses allowed within the proposed district.**

The available public facilities, services, and infrastructure are suitable and adequate for the uses allowed under the proposed amendment.

**Evidence**

Staff Report

Notification Labels

**Enc. Hearing Minutes**

**INTRODUCTORY NO.****353**

Ordinance No.

**Amending the Zoning Map by changing the zoning classification of numbers 1040, 1044, 1100-1170, 1180 and 1186-1194 University Avenue**

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning map classification of the following properties from Manufacturing Industrial Planned Development District No. 3 to M-1 Industrial:

<b>Address</b>	<b>SBL No.</b>
1040 University Avenue	122.29-1-5.001
1044 University Avenue	122.29-1-6
1100-1170 University Avenue	122.30-1-9.003
1180 University Avenue	122.30-1-9.004
1186-1194 University Avenue	122.30-1-9.002

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

Section 2. This ordinance shall take effect immediately.



**City of Rochester**

City Hall Room 308A, 30 Church Street  
Rochester, New York 14614-1290  
www.cityofrochester.gov

**NEIGHBORHOOD &  
BUSINESS DEVELOPMENT  
INTRODUCTORY NO.**

**Malik D. Evans**  
Mayor

**354**

August 29, 2023 NBD 10

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Center City Courtyard Affordable  
Housing Project

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Center City Courtyard project (the "Project"), an affordable and supportive rental housing project being undertaken by H.E.L.P. Development Corp., (HELP DC) (David Cleghorn, President, 115 East 13<sup>th</sup> Street, New York, NY) and CSD Housing, LLC, (Keri Curtis, Michael Dehmier, and Mark Shortino, Managing Members, 642 Kream Road, Suite 301, Pittsford, NY) at 99 West Main Street in center city Rochester.

This legislation will:

- 1) Authorize a loan agreement for a \$1,000,000 construction/permanent loan with HELP ROC I HOUSING DEVELOPMENT FUND CORPORATION, H.E.L.P. Development Corp. or an affiliated partnership or housing development fund corporation to be formed for the project, and appropriate \$481,676 from the 2022-23 Affordable Housing Fund allocation and \$518,324 from the 2023-24 Affordable Housing Development Fund allocation to fund the loan. The loan will serve initially as a 2% construction loan payable annually. The permanent loan includes a 30-year term, and 2% interest-only, cash flow dependent payments due annually, with the outstanding principal balance and any accrued interest due at the end of the term.
- 2) Authorize property tax exemption and payment-in-lieu of taxes agreement for the Project, with one or more of the entities listed above, which will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs).
- 3) Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein; and
- 4) Authorize the Mayor to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

Center City Courtyard project involves the new construction of a 4-story, U-shaped building surrounding a courtyard, of approximately 146,000 square feet to contain 164 rental housing units, including 69 affordable and 95 supportive apartments, and a ground level 72 space covered parking lot. There will be 22 studios, 125 one-bedroom, and 17 two-bedroom units, including 10 ADA-accessible units, four Audio/Visually Impaired-accessible units, and eight units with Section 8 Project Based Vouchers from the Rochester Housing Authority. The supportive housing units will serve multiple special needs populations: 27 units reserved for persons with substance use disorder (SUD), 26 units reserved for individuals who will reenter the community following a



period of incarceration, and 42 units reserved for homeless veterans. The remaining 69 units will be available to other income eligible community members and households, and units will be affordable at 30%, 60% and 80% of Median Family Income (MFI). The special needs units will be subsidized by the Empire State Supported Housing Initiative (ESSHI) and residents in those units will meet the ESSHI definition of homeless, which includes homeless households and households at risk of homelessness.

Three supportive services providers, the Urban League of Rochester (ULR) (Dr. Seanelle Hawkins, President & CEO), Eagle Star Housing (ESH), an affiliate of DePaul Housing as of July 1, 2023 (Zach Fuller, Executive Director, Victor, NY) and Helio Health (Kathleen Gaffney-Babb, President & CEO, Syracuse, NY), have each received ESSHI awards to provide individualized case management services for the respective special needs populations included in this project. All will utilize the local homeless intake system and coordinated entry, currently facilitated by Partners Ending Homelessness, to fill units designated for respective special needs as they become available. ULR will provide services related to 26 units reserved for individuals who reenter the community following a period of incarceration; ESH will provide services related to 27 units reserved for homeless veterans; and Helio Health will provide services related to 27 units reserved for persons with substance use disorder (SUD).

Center City Courtyard will fill a west-side center city block on West Main Street, between South Washington Street, South Plymouth Avenue and West Broad Street, and transform former surface parking lots into a vibrant rental community. The 1.33 acre site, at 99 West Main Street (Tax Number/SBL 121.30-1-16.1), was recently formed via a combination of 10 former lots and abandoned rights of way (authorized via Ord. No. 2022-308 and Ord. No. 2022-309) acquired by the developer for the project. A list of the prior designations of properties included in the project site is attached. The building will have a central entrance into a 2-story atrium, first floor reception and lobby area, as well as a community room with kitchen, lounges and fitness rooms, laundry facilities, property management and support services offices, all designed for accessibility to accommodate populations with a full range of capabilities as well as for residents to age in place. A community center will serve as a focal point to provide services that empower residents and the surrounding community by offering job training, fitness classes, community meetings, and socializing opportunities. Project design will enhance the existing character of the neighborhood while applying modern technology to achieve energy efficiency, improved accessibility, and sustainable construction. An expansive and active courtyard faces south toward the sun and will provide an engaging opportunity for both tenants and the general public.

To help meet New York State's Climate Leadership and Community Protection Act goals, the Project will be an all-electric building, including heating, air conditioning, and hot water systems. The Project will receive Clean Energy Initiative funds for the project, utilizing highly efficient air source heat pumps for heating and cooling. The project will achieve Enterprise Green Communities 2020 Plus standards. Rent will include domestic hot water, sewer and trash removal, and tenants will pay for heat, electricity, cable television, internet access and laundry.

The Project is consistent with the City of Rochester's Housing Policy, the Rochester 2034 Comprehensive Plan, and complements the City's housing goals by addressing barriers identified the Housing Quality Task Force. The Project will additionally complement significant development and interest that has occurred over the past decade and is currently underway in these City neighborhoods, and will continue to provide housing for a range of incomes and household types. Funding for the Project includes private equity from the sale of NYS Housing Finance Agency (HFA) 4% Low-Income Housing Tax Credits, Tax-Exempt bonds, and Supportive Housing Opportunity Program (SHOP), Homeless Housing Assistance Program (HHAP), Federal Housing Trust Funds; Clean Energy Incentives, and Developer Loan, Developer funded operating reserve and deferred developer fee. The sources and uses for the Project are summarized below:

<b>Uses</b>		<b>Permanent Sources</b>	
Acquisition	\$1,000,000	HFA First Mortgage	\$3,180,000
Hard Costs	\$45,777,007	HFA SHOP	\$18,891,520
Soft Costs and Working Capital	\$12,556,846	HFA FHTF	\$5,603,331
Development Fee	\$7,900,000	HFA Subsidy	\$946,436
		Accrued Interest	
		HHAP	\$7,975,000
		L.P. Equity	\$29,529,278
Contingency	\$2,288,850	City of Rochester	\$1,000,000
Reserves & Escrows	\$751,596	Clean Energy Incentives	\$885,500
		Developer Loan	\$860,000
		Developer Funded Operating Reserves	\$375,798
		Deferred Developer Fee	\$1,027,436
<b>TOTAL</b>	<b>\$70,274,299</b>	<b>TOTAL</b>	<b>\$70,274,299</b>

The PILOT was recommended for approval by the PILOT review committee on July 11, 2023. The Project will include workforce goals of 6.9% women and 20% minority hours worked, as well as an obligation of 30% M/WBE contracts and a goal of 25% city residents working on the Project. The SEQR review was completed and Negative Declaration issued on August 29, 2022, the National Environmental Policy Act or NEPA review is completed.

Respectfully submitted,

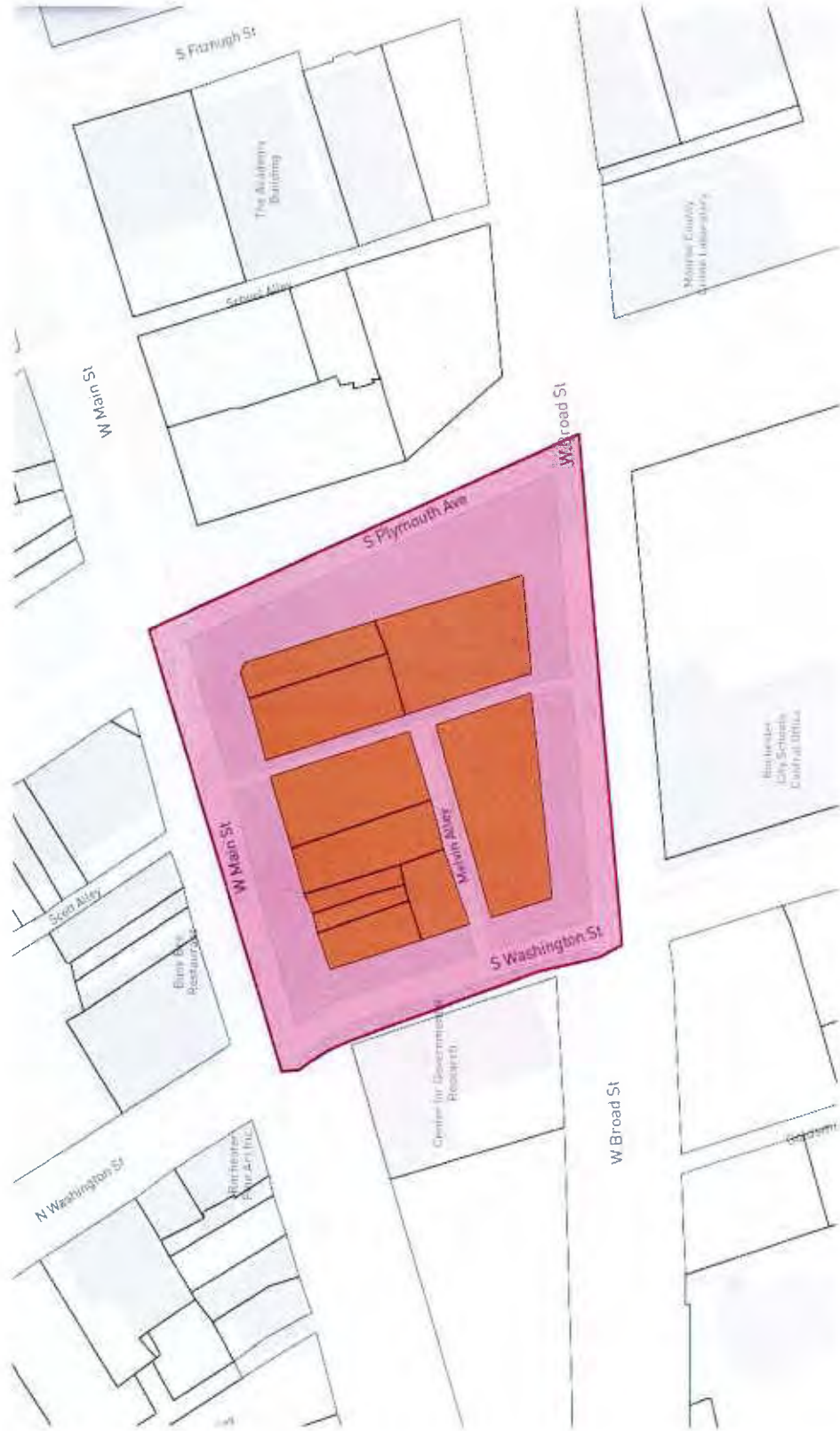


Malik D. Evans  
Mayor



**NBD 10  
ATTACHMENT**

**Center City Courtyard Map  
99 West Main Street**



Agreement – Center City Courtyard Affordable Housing Project

List of properties combined for the project site to become 99 West Main Street, all owned by HELP ROC HOUSING DEVELOPMENT FUND CORPORATION.

<b>Property Address</b>	<b>City Tax Account Number</b>
99 W. Main Street	121.30-1-19
103 W. Main Street	121.30-1-18
119-125 W. Main Street	121.30-1-15
129-131 W. Main Street	121.30-1-14
133 W. Main Street	121.30-1-13
139 W. Main Street	121.30-1-12
141 W. Main Street	121.30-1-11
10 S. Washington Street	121.30-1-10
16 S. Washington Street	121.30-1-16
19-29 S. Washington Street	121.30-1-17

Center City Courtyard – Rendering  
99 West Main Street – W. Broad Street View



Center City Courtyard – Rendering  
99 West Main Street – W. Main Street /S. Plymouth Avenue View



**INTRODUCTORY NO.****354**

Ordinance No.

**Authorizing a loan agreement and payment in lieu of taxes agreement for the Center City Courtyard Affordable Housing Project**

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

Section 1. The Mayor is hereby authorized to enter into a loan agreement with HELP ROC I Housing Development Fund Corporation, H.E.L.P. Development Corp, or an affiliated partnership or housing development fund corporation to be formed for the purpose (collectively, the Developer) to provide construction and permanent financing for the Center City Courtyard Affordable Housing Project (the Project) located at an approximately 1.3 acre site recently assembled from several parcels and bounded by West Main Street, South Plymouth Avenue, West Broad Street and South Washington Street (Project Site). The Project shall consist of approximately 164 rental housing units comprised of approximately 95 units for individuals and households with special needs such as substance abuse disorder, formerly incarcerated individuals and homeless veterans, approximately 69 units affordable to low income households, and amenities including offices for the supportive service providers, first-floor lobby, reception and community center space, 72 ground-level covered parking spaces, and laundry room. The loan shall be in the amount of \$1,000,000, which shall be funded by, and is hereby appropriated for loan principal in the amounts of \$481,676 from the Affordable Housing Fund project allocation of the 2022-23 Annual Action Plan and \$518,324 from the Affordable Housing Development Fund project allocation of the 2023-24 Annual Action Plan. The loan shall have a term that extends to 30 years following completion of Project construction, functioning at first as a 2% construction loan until construction is complete, whereupon it shall convert to permanent financing with a term of 30 years that is subject to an annual interest rate of 2%. The payment of interest shall be due annually if the Developer has sufficient cash flow and repayment of the loan principal and any unpaid interest shall come due at the end of the loan term. The Mayor is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to legal and other requirements for the Project.

Section 2. The Mayor is hereby authorized to enter into a payment in lieu of taxes (PILOT) agreement with one or more of the above-described Developer entities for the approximately 1.3 acre Project Site to be designated as 99 West Main Street and denominated as Tax/SBL Number of 121.30-1-16.1. This PILOT Agreement shall provide that the Site shall remain entitled to a real property tax exemption, provided that the Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs. The term of the PILOT agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project Site is no longer operated for the purpose of providing affordable rental housing and supportive services as described in Section 1 and in accordance with the conditions for maintaining low-income housing tax credits and financing as well as other legal requirements.

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

Section 4. This ordinance shall take effect immediately.



**City of Rochester**

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**NEIGHBORHOOD &  
BUSINESS DEVELOPMENT  
INTRODUCTORY NO.**

**Malik D. Evans**  
Mayor

**355**

August 29, 2023 NBD 11

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Alta Vista at St. Joseph’s  
Park Affordable Housing Project

Council Priority: Rebuilding and Strengthening  
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Alta Vista at St. Joseph’s Park new construction project (the “Project”), an affordable rental housing development project being undertaken by Ibero-American Development Corporation (IADC) (Eugenio Marlin, Executive Vice President, 954 Clifford Avenue, Rochester) in the St. Joseph’s Park neighborhood of Center City.

This legislation will:

- 1) Authorize the sale of two vacant City of Rochester-owned parcels to IADC, Alta Vista Housing LLC, a related entity, or an entity to be formed by IADC. The properties are as follows:

Street #	Street Name	Tax Number/SBL	Purchase Price/Appraised Value
101-113	Franklin Street	106.80-1-25.001	\$315,000
106	Pleasant Street	106.80-1-44.003	\$65,000

- 2) Authorize a loan agreement for a \$1,000,000 construction/permanent loan with IADC, Alta Vista Housing LLC, a related entity, or an entity to be formed by IADC, and appropriate the same amount from the 2023-24 Affordable Housing Development Fund allocation to fund the loan. The loan will serve initially as a 2% interest loan payable annually during construction. The permanent loan includes a 30-year term, and 2% interest-only, cash flow dependent payments due annually, with the outstanding principal balance and any accrued interest due at the end of the term;
- 3) Authorize property tax exemptions and payment-in-lieu of taxes agreements for the Project, which will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs). The sites are listed here:

Street #	Street Name	Tax Number/SBL	Current Owner
101-113	Franklin Street	106.80-1-25.001	City of Rochester
106	Pleasant Street	106.80-1-44.003	City of Rochester
317	Andrews Street	106.80-1-2	333 A Parking LLC
325	Andrews Street	106.80-1-3	333 A Parking LLC



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

A Request for Proposals was issued for the purchase and development of 101-113 Franklin Street and 106 Pleasant Street on November 26, 2019, followed by an informational meeting on December 13, 2019. The purpose of this meeting was to provide developers with the opportunity to discuss the status of the parcel, its redevelopment potential, and answer questions. The City received two proposals, which were evaluated by staff from the Department of Neighborhood and Business Development and the Mayor's Office. The Project was recommended based on the proposed development program and its financial strength. IADC will additionally acquire two privately owned surface parking lots located at 317 and 325 Andrews Street to provide onsite parking for the Project.

Alta Vista at St. Joseph's Park will create 76 new affordable rental units, with eight units targeted to households with incomes at or below 30% of the area median income (AMI), 36 units targeted to households earning up to 50% AMI, 21 units targeted to households earning up to 60% AMI, and 11 units targeted to households earning up to 80% AMI. The Rochester Housing Authority has awarded eight Housing Choice Vouchers to assist with meeting the needs of those that earn less than 30% AMI. Fourteen units will be set aside for households that are homeless or at-risk of homelessness, with supportive services provided by the YWCA of Rochester and Monroe County. The YWCA has been awarded Empire State Supportive Housing Initiative (ESSHI) rental, service, and operating subsidy to support tenants of these permanent supportive housing units, and the Project received \$2.6 million in Homeless Housing Assistance Program (HHAP) capital funds to support the development of the 14 set-aside units.

The Project includes the new construction of one mixed-use six-story building totaling approximately 84,000 square feet at the corner of Franklin Street and Andrews Street. The residential units will include 54 one-bedroom units and 22 two-bedroom units. Eight units will be fully accessible, and four units will be adapted for those living with audio/visual impairments. Tenant amenities will include a laundry room, a community room with kitchen, lounges, on-site parking, tenant storage, an outdoor patio, and a children's play area. The building will be sustainable and energy efficient. It is a New York State Homes and Community Renewal (HCR) Clean Energy Initiative New Construction project. IADC has engaged Sustainable Comfort to ensure the building meets the identified goals of Passive House (PHIUS Certification) and Energy Star Multifamily New Construction Program (ERI Pathway). The Project will receive further certifications for DEO Net Zero Energy Ready Homes and EPA Indoor AirPlus. The design will incorporate a solar array on the roof to offset the electrical load. Tenants will pay for convenience electricity (cooking electric, lights, outlets, etc.) with the balance of utilities, including heat and hot water, paid by the owner. IADC will provide free high-speed broadband and Wi-Fi internet to all residents and common areas. Construction is expected to start in Fall 2023 with completion in Spring 2025.

The Project will enhance the existing character of the neighborhood, with exterior features that include stone similar to that of the surviving walls of the adjacent St. Joseph's Church, brick masonry, and HardiePlank siding. Archways on the building's entrance will replicate historic church details, and residents will have access to St. Joseph's Park and outdoor space. Additionally, the Landmark Society of Western New York, which owns St. Joseph's Park, will lease the Project's 2,600 square foot commercial space to expand its free public events programming and host special events. The Project is part of the City's \$10 million New York State Downtown Revitalization Initiative (DRI) award, as it contributes to DRI goals of creating a vibrant urban center and attractive public realm that welcomes everyone and increasing the amount of mixed-income housing in Downtown. The Project was awarded \$1.185 million in DRI funds, and an additional \$200,000 was awarded for improvements that will help preserve St. Joseph's Park.



The Project is consistent with the City of Rochester's Housing Policy and is in line with the recommendations of the Rochester Housing Quality Task Force and the 2034 Comprehensive Plan, as it includes the production of new high-quality housing that is accessible to people across a range of incomes and focuses mixed-use development near major investment areas. Funding for the Project includes private equity from the sale of NYS Homes and Community Renewal (HCR) 9% Low-Income Housing Tax Credits; Community Preservation Corporation (CPC) mortgage; NYS HCR Housing Trust Fund (HTF), NYS HCR Federal Housing Trust Fund (FHTF), and NYS Community Investment Fund (CIF) soft loans; Homeless Housing Assistance Program (HPAP) funds; Downtown Reinvestment Initiative (DRI) funds; Clean Energy Incentives (CEI); and solar incentives and tax credits. The sources and uses for the Project are summarized below:

<b>Uses</b>		<b>Permanent Sources</b>	
Acquisition	\$700,000	CPC Mortgage	\$1,150,000
Hard Costs	\$25,074,438	NYS HCR HTF	\$9,132,034
Soft Costs and Working Capital	\$4,881,981	NYS HCR FHTF	\$1,958,746
Development Fee	\$3,543,063	HHAP	\$2,628,082
Contingency	\$1,253,722	CEI	\$570,000
Reserves	\$177,790	City of Rochester	\$1,000,000
		NYS CIF	\$678,335
		DRI	\$1,185,000
		Solar Incentive	\$72,160
		L.P. Equity	\$12,915,205
		SLIHC Loan	\$3,924,605
		Solar Equity	\$39,004
		Deferred Development Fee	\$377,823
<b>TOTAL</b>	<b>\$35,630,994</b>	<b>TOTAL</b>	<b>\$35,630,994</b>

The PILOT was recommended for approval by the PILOT review committee on July 3, 2023. The Project will include workforce goals of 6.9% women and 20% minority hours worked, as well as an obligation of 30% M/WBE contracts and a goal of 25% city residents working on the Project. The SEQR review was completed and Negative Declaration issued on August 25, 2022. The National Environmental Policy Act (NEPA) review is underway and will be completed prior to entering into any agreements for the project.

Respectfully submitted,



Malik D. Evans  
Mayor

Alta Vista at St. Joseph's Park Affordable Housing Project  
101-113 Franklin Street, 106 Pleasant Street, 317 & 325 Andrews Street, Rochester, NY 14604



**Alta Vista at St. Joseph's Park Affordable Housing Project**



**INTRODUCTORY NO.**

**355**

Ordinance No.

**Authorizing the sale of real estate, a loan agreement and payment in lieu of taxes agreement for the Alta Vista at St. Joseph’s Park Affordable Housing Project**

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

Section 1. The Council hereby approves the negotiated sale of the following parcels to Ibero-American Development Corporation (IADC), Alta Vista Housing LLC, a related entity and/or an entity to be formed by IADC (collectively, the Developer) with proposal to construct thereon and operate the Alta Vista at St. Joseph’s Park Affordable Housing Project (the Project):

<b>Street Address</b>	<b>Tax/SBL No.</b>	<b>Price</b>	<b>Lot Size (ac)</b>
101-113 Franklin St	106.80-1-25.001	\$315,000	0.58
106 Pleasant St	106.80-1-44.003	65,000	0.12
	<b>TOTAL</b>	<b>\$380,000</b>	

Section 2. The Mayor is hereby authorized to enter into a loan agreement with the Developer to provide construction and permanent financing for the Project, which shall be comprised of approximately 76 new rental housing units that are affordable to low income households of which approximately 14 units shall be reserved for supportive housing for families or individuals that are homeless or at risk of homelessness, tenant amenities including supportive services, a laundry room, a community room with kitchen, lounges, on-site parking, tenant storage, an outdoor patio, and a children’s play area, and approximately 2,600 square feet suitable for commercial use. The loan shall be in the amount of \$1,000,000, which shall be funded and is hereby appropriated from the Affordable Housing Development Fund project allocation of the 2023-24 Annual Action Plan. The loan shall have a term that extends to 30 years following completion of Project construction, functioning at first as a 2% construction loan until construction is complete, whereupon it shall convert to permanent financing with a term of 30 years that is subject to an annual interest rate of 2%. The payment of interest shall be due annually if the Developer has sufficient cash flow and repayment of the loan principal and any unpaid interest shall come due at the end of the loan term. The Mayor is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to legal and other requirements for the Project.

Section 3. The Mayor is hereby authorized to enter into a payment in lieu of taxes (PILOT) agreement with the Developer for the following parcels in order to effectuate the Project (Project Site):

<b>Street Address</b>	<b>Tax Number/SBL</b>	<b>Current owner</b>
101-113 Franklin St	106.80-1-25.001	City of Rochester
106 Pleasant St	106.80-1-44.003	City of Rochester
317 Andrews St	106.80-1-2	333 A Parking LLC
325 Andrews St	106.80-1-3	333 A Parking LLC

The PILOT agreement shall provide that the Project Site shall remain entitled to a real property tax exemption, provided that the Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs. The term of the PILOT agreement shall run for 30 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project Site is no longer operated for the purpose of providing affordable rental housing and supportive services as described in Section 1 and in accordance with the conditions for maintaining low-income housing tax credits and financing as well as other legal requirements.

Section 4. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems to be appropriate and the Mayor is hereby authorized to execute such other agreements and documents as may be necessary to effectuate these agreements.

Section 5. This ordinance shall take effect immediately.



**City of Rochester**

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**RECREATION & HUMAN  
SERVICES COMMITTEE  
INTRODUCTORY NO.**

**Malik D. Evans**  
Mayor

**356**

August 29, 2023

DRHS12

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Champion Academy, Extreme Mentoring and Empowerment Initiative

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Champion Academy Extreme Mentoring and Empowerment (Roland Williams, CEO, 1 Pleasant Street, Suite 406 Rochester, NY 14604) for its Champion Academy Extreme Mentoring and Empowerment Initiative. The original agreement authorized in June 2020, with All Pro LLC established maximum compensation of \$25,000 for a term of 1 year. The term of this new agreement will not exceed one year and will be funded from the 2023-24 Budget of Undistributed Expenses, with an option to renew for two additional, one-year terms, contingent upon approval of the future budgets.

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

All Pro Catalyst, LLC and the Champion Academy Extreme Mentoring and Empowerment Initiative were created and are led by Roland Williams, a city of Rochester native who has gone on to become a Super Bowl Champion, ESPN and CBS sports analyst, Syracuse University graduate and award-winning performance coach. The City has supported this program since it began in 2015. The most recent agreement for this service was approved by Council in July 2020 via Ordinance No. 2020-246.

Respectfully submitted,

Malik D. Evans  
Mayor



INTRODUCTORY NO.

356

Ordinance No.

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

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Champion Academy Extreme Mentoring & Empowerment Initiative, Inc. to implement the Champion Academy Extreme Mentoring and Empowerment Initiative. The term of the agreement shall be up to one year with the option to renew for up to two additional one-year periods. The maximum annual compensation for the agreement shall be \$25,000, which shall be funded from the 2023-24 Budget of Undistributed Expenses (Undistributed Budget) for the initial year, and from a subsequent year's Undistributed Budgets for each optional extension, contingent upon approval of future budgets.

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

Section 3. This ordinance shall take effect immediately.



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**RECREATION & HUMAN  
SERVICES COMMITTEE  
INTRODUCTORY NO.**

**Malik D. Evans**  
Mayor

**357**

August 29, 2023

DRHS13

TO THE COUNCIL

Ladies and Gentlemen:

Re: Grant Agreement - Dormitory Authority of the  
State of New York, Race Timing System

Council Priority: Support the creation of effective  
educational systems

Comprehensive Plan 2034 Initiative Area:  
Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing an agreement with the Dormitory Authority of the State of New York (DASNY) for the receipt and use of a \$50,000 State and Municipal Facilities Program grant award for the Genesee Valley Park Sports Complex Pool.

The grant will be utilized for the purchasing and installation of the GEN 7 Sports Timer with legacy connections. The Gen7 Sports Timer is designed to work exclusively with existing CTS timing components and display boards. Incorporates the latest technology with all of the key features of a Colorado Time Systems Console, including up to 12-lane timing, enhanced split handling, start reaction display, automatic lane arming, interface to 3rd party meet management software, scoreboard cycling and more.

The Genesee Valley Park Sports Complex Pool would be the only outdoor Olympic-length pool in a 70 mile radius capable of hosting competitions. This would allow the complex to host a variety of events, including Masters (25 and older), youth triathlon and night events.

Respectfully submitted,

Malik D. Evans  
Mayor





**INTRODUCTORY NO.****357**

Ordinance No.

**Authorizing an agreement with the Dormitory Authority of the State of New York to fund a Race Timing System for the Genesee Valley Park Sports Complex Pool**

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 Dormitory Authority of the State of New York (DASNY) for the receipt and use of a State and Municipal Facilities Program grant in the amount of \$50,000, which is hereby appropriated to acquire and install a Race Timing System for the Genesee Valley Park Sports Complex Pool (the System). The term of the agreement shall be up to three years.

Section 2. The Mayor or his designee is hereby authorized to execute on behalf of the City such other agreements and documents in connection with the acquisition and installation of the System as the DASNY may require for providing the funding authorized herein.

Section 3. The funding agreement, as well as any other 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.



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**RECREATION & HUMAN  
SERVICES COMMITTEE  
INTRODUCTORY NO.  
358**

**Malik D. Evans**  
Mayor

August 29, 2023

DRHS14

TO THE COUNCIL

Ladies and Gentlemen:

Re: Grant Agreement – New York State Office of  
Victim Services

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to a New York State Office of Victim Services (NYS OVS) grant. This legislation will authorize an agreement with New York State Office of Victim Services (NYS OVS) for the receipt and use of a Victims of Crime Act Victim and Witness Assistance Grant of \$395,924.08 for the period of October 1, 2023 to September 30, 2024. This is the second year of a three-year grant with a term of October 1, 2022 to September 30, 2025.

The Victims of Crime Act Victim and Witness Assistance Grant Program funds a portion of personnel expenses of the DRHS Crisis Intervention Services (CIS) unit. Staff in this unit provide support to victims of crime, including referrals for wrap-around support, assistance in completing applications for funding from the NYS OVS, and information on the legal process and their pending criminal cases. Grant reimbursement of these personnel expenses was anticipated and included in the 2023-2024 Department of Recreation and Human Services and Undistributed Expenses budgets. From October 1, 2022 - June 30, 2023, CIS staff funded by this grant assisted over 850 crime victims.

This was last authorized by City Council via Ordinance No. 2022-254 on August 16, 2022. The City has received this funding since at least 2014.

Respectfully submitted,

Malik D. Evans  
Mayor



**INTRODUCTORY NO.**

**358**

Ordinance No.

**Authorizing an agreement for a Victims of Crime Act Victim and Witness Assistance Grant**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with New York State Office of Victim Services (NYS OVS) for the receipt and use of a grant of \$395,924.08, which is hereby appropriated to fund a portion of personnel expenses for the Department of Recreation and Humans Services (DRHS) Crisis Intervention Services unit's program providing wrap-around support for victims of crime. The term of the agreement shall be October 1, 2023 through September 30, 2024

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

Section 3. This ordinance shall take effect immediately.



**RECREATION & HUMAN  
SERVICES COMMITTEE  
INTRODUCTORY NO.**

**359**

August 29, 2023

DRHS16

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreements – New York State Department of Health, Sexual Risk Avoidance Education Grant

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the New York State Department of Health (NYSDOH) Sexual Risk Avoidance Education (SRAE) Grant program to address unintended teen pregnancy. This legislation will:

1. Authorize an agreement with NYSDOH for the receipt and use of \$275,000 SRAE grant for the July 1, 2023 through June 30, 2024 program period. The NYSDOH SRAE Grant program is in year four of the five-year grant period of July 1, 2019 through June 30, 2024.
2. Establish \$134,750 as total maximum compensation for Baden Street Settlement / Metro Council for Teen Potential funded from the grant authorized herein, for a term of one year.

An additional \$111,184 was anticipated and included in the 2023-24 Budgets of the Department of Recreation and Human Services and Undistributed Expenses for staff costs associated with the City's role as lead agency, including one full-time employee, one part-time employee, and a portion of a supervisor's time. The remaining \$29,066 will be accounted for in the Teenage Pregnancy Prevention Special Revenue Fund to cover non-personnel expenses such as educational supplies, printing, travel and apparel as well as indirect expenses.

The goal of the SRAE initiative is to support and enhance youth ages 10-13 social-emotional development and delay onset sexual activity through medically driven, age appropriate curriculum and engaging clubs. SRAE facilitators host weekly clubs at individual R-center sites where youth will participate in engaging fun activities such as Passport club-exploring family unit customs and cultures around the world, Creative Expressions Club, Cooking Matters family cooking program, and Making A Difference evidence based curriculum. Through SRAE programming youth will gain skills and insight to become healthy, productive adolescents with a strong sense of self. The program serves a total of 300 unduplicated youth and caregivers each year. This was last authorized by City Council Ordinance 2022-175.

Respectfully submitted,

Malik D. Evans  
Mayor



# Youth STD and HIV Cases



## Newly Diagnosed Chlamydia Cases in Rochester, NY 2013-2020

	Age 14 and younger	Age 15-19	Age 20-24
2013	85	1,125	1,221
2014	65	926	973
2015	56	892	1,114
2016	72	867	1,063
2017	67	948	1,040
2018	38	988	1,082
2019	63	1,060	1,187
2020	42	907	1,197

## Newly Diagnosed Gonorrhea Cases in Rochester, NY 2013-2020

	Age 14 and younger	Age 15-19	Age 20-24
2013	13	211	288
2014	15	225	269
2015	29	322	402
2016	23	322	440
2017	15	267	341
2018	9	240	395
2019	16	249	445
2020	22	465	807

## Newly Diagnosed HIV Cases in Monroe County, NY 2018-2020

	Age 12 and younger	Age 13-19	Age 20-24
2018	0	3	8
	Age 14 and younger	Age 15-19	Age 20-24
2019	0	1	13
2020	0	1	11

Source: Monroe County Dept. of Public Health

MAILING: 152 Baden St., Rochester, NY 14605 TEL: 585-445-6777

[www.metrocouncilrochester.org](http://www.metrocouncilrochester.org)

Host agency: Baden Street Settlement of Rochester, Inc.

Source: <https://metrocityrochester.org/youth-std-and-hiv-cases/>

**INTRODUCTORY NO.****359**

Ordinance No.

**Appropriating funds and authorizing agreements for the Sexual Risk Avoidance Education Grant program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Health for the receipt and use of Sexual Risk Avoidance Education Grant program (Program) funding in the amount of \$275,000, which is hereby appropriated for operating the Program from July 1, 2023 through June 30, 2024. Of that appropriation, \$29,066 shall be allocated to the Teenage Pregnancy Prevention Special Revenue Fund to fund non-personnel and indirect expenses related to the Program.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Baden Street Settlement of Rochester, Inc. to provide services for the Program. The maximum compensation for the agreement shall be \$134,750, which shall be funded from the grant appropriated in Section 1 herein. The term of the agreement shall be one year.

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

Section 4. This ordinance shall take effect immediately.



**City of Rochester**

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Rochester, New York 14614-1290  
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**PUBLIC SAFETY  
COMMITTEE  
INTRCDUCTORY NO.**

**Malik D. Evans**  
Mayor

**360**

August 29, 2023    FIRE 17

TO THE COUNCIL

Ladies and Gentlemen:

Re: Fire Apparatus Bonding

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$2,370,000 and the appropriation of proceeds thereof to finance the purchase of firefighting apparatus.

The Fire Department periodically replaces firefighting and rescue apparatus based upon a combination of use and age. The truck and reserve engines being replaced are first line apparatus and are currently located at the South Avenue, Chestnut Street fire stations. The following details the age and use of the apparatus being replaced:

<u>Apparatus No.</u>	<u>Age</u>	<u>Location</u>	<u>Annual Runs</u>
Truck 3	9 years	South Avenue	1,360
Protectives	9 years	Chestnut Street	350

Upon replacement, the existing apparatus that is currently 9 years old will be placed into reserve status. The existing reserve apparatus that are on average 20 years old will be eligible for disposal through the Purchasing Bureau's surplus process.

Respectfully submitted,

Malik D. Evans  
Mayor



**INTRODUCTORY NO.****360**

Ordinance No.

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,370,000 Bonds of said City to finance the replacement of Truck 3 at the South Avenue Firehouse and the Protectives rescue vehicle located at the Chestnut Street Firehouse**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City") is hereby authorized to finance the costs of the replacement of the following firefighting apparatus: Truck 3 at the South Avenue Firehouse and the Protectives rescue vehicle located at the Chestnut Street Firehouse. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,370,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,370,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$2,370,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$2,370,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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



amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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



**City of Rochester**

City Hall Room 308A, 30 Church Street  
Rochester, New York 14614-1290  
www.cityofrochester.gov

**PUBLIC SAFETY  
COMMITTEE  
INTRCDUCTORY NO.**

**Malik D. Evans**  
Mayor

**361**

August 29, 2023      FIRE 18

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – ImageTrend, Inc.  
EMS Electronic Patient Care (ePCR) Standalone

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Public  
Safety

Transmitted herewith for your approval is legislation establishing \$157,500 as maximum compensation for an agreement with ImageTrend Inc., (Joe Graw, President/CEO) Lakeville, MN for electronic patient care report (ePCR) software license and support. The term of this agreement will be two years and the cost of this agreement will be funded with \$89,200 of 2023-24 Cash Capital and \$68,300 from the 2024-25 Budget of the Fire Department, contingent upon approval. The agreement will have the option of two (2) additional one (1) year renewals upon mutual agreement for recurring maintenance fees. The annual maximum compensation of each renewal will not exceed \$68,300 with a possible maximum increase of 7% per year.

The cost of the renewals will be funded by the 2025-26 and 2026-27 Budgets of the Fire Department, contingent upon approval

The Rochester Fire Department (RFD) currently utilizes the AMR Multi-EMS Data System (MEDS) for electronic patient care reports (ePCR) and data submission. RFD was notified in May 2023 that AMR would no longer use or maintain the MEDS system and will sunset its operation effective January 1, 2024. RFD is seeking to contract with ImageTrend as a solution for an ePCR and data submission. Such system is necessary to comply with the State Health Department's National Emergency Medical Services Information System (NEMSIS) reporting mandates.

The ImageTrend standalone platform has the ability to customize reports and provide a wide array of data in real time. Image Trend, Inc. is the current preferred and contracted vendor for the NYS DOH and has been for several years. ImageTrend works closely with the NYS DOH on NEMSIS compliance.

ImageTrend, Inc. has been approved with a No-RFP Justification Statement, as described in the attached summary.

Respectfully submitted,

Malik D. Evans  
Mayor



## JUSTIFICATION STATEMENT

### Awarding a Professional Services Agreement Without a Request for Proposals

The Procurement of Professional Services Policy (Ord. No. 2012-318) requires an RFP to be issued under most circumstances. If it is determined that an RFP process will not benefit the City, this form must be completed, signed by the Department Head, and kept on file (electronically or hard copy). It must also be submitted:

1. To City Council as an attachment to the transmittal letter for any PSA that exceeds \$20,000, and
2. To the contract record when entered in Munis.

-----  
**Department:** Rochester Fire Department

**Service(s):** Electronic Patient Care Record (ePCR)

**Vendor/Consultant selected:** Image Trend

**How was the vendor selected?** All three major vendors of this service were contacted and requested to provide a quote for service and a virtual product demonstration.

Only two vendors responded Image Trend & ESO.

Image trend is the NYS DOH contracted vendor for this service and as such is compliant with the required data submission to NYS. After discussions with the Regional EMS Office (MLREMS), the other vendor was found to be noncompliant with the required NYS data submission.

#### **Why was no RFP issued for this service?**

Prior to 2021, the ePCR market consisted of five (5) vendors [Alpine/RedNMX, EMS Charts, ZOLL, Image Trend and ESO solutions. The AMR MEDS Platform while not for sale was an option for AMR partner agencies such as RFD. Due to a new NYS DOH mandate for all first response agencies to submit NEMSIS compliant data to the DOH starting in 2021, RFD evaluated the market options Alpine which was the product RFD was using informed RFD that they could not and would not be capable of meeting that level of NEMSIS compliance. RFD ultimately partnered with AMR to use their nonproprietary MEDS ePCR. In the following year, ZOLL acquired EMS Charts and abandoned their own ePCR solution leaving only three (3) vendors of ePCR's. With the latest NEMSIS updated standards required to be implemented in late 2023, MEDS was abandoned by AMR as a solution who now contracts with Image Trend. It is believed to be the main reason for the ZOLL & EMS Charts merger (ZOLL/EMS Charts). While ESO is still marketing their ePCR, RFD has discovered that they are not compliant with the NYS DOH NEMSIS requirements meaning agencies who utilize this product are subject to sanctions unless those agencies submit the data manually. This market / technological condition leaves only two (2) possible vendors. ZOLL did not respond to the inquiry made by RFD.

- Is there **previous experience** with the vendor? Describe why it is in the City's best interest to continue with them and not solicit others.
  - Image Trend is the current preferred and contracted vendor for the NYS DOH and has been for several years. They work closely and collaboratively with the DOH on NEMSIS compliance. AMR corporate now contracts with Image Trend and the only ePCR solution for their entire nationwide operation. RFD works closely with AMR and NYS DOH the contracts and partnerships that exist with image trend provide confidence in the vendor and product.
- Are there **unique or emergency circumstances?** Describe how an RFP process would jeopardize the success of the project.

- AMR has chosen to abandon their own in house solution due to the costly and technological difficulty in maintaining NEMSIS compliance. Other than a few partner agencies, the AMR operation is no longer using MEDS. They will sunset this solution on January 1, 2024, meaning no more inputs of ePCR's will be allowed. RFD was notified of this decision and date only a few months ago. The current limited market and extremely tight timeframe make an RFP process prohibitive.
- A delay in acquisition of this ePCR platform creates a substantial public safety risk to the community and a significant fiscal impact simultaneously. If the Rochester Fire Department does not have a NEMSIS compliant ePCR, approved by NYS DOH in place by January 1, 2024, the ability to recertify our firefighters' EMT certifications via the continuing medical education (CME) program will be denied by NYS DOH BEMS. Recertifying our 437 EMT's through the only other alternative, a traditional classroom based course including practical and written exams at a computer based testing center, will increase costs exponentially becoming logistically and financially unsustainable. Firefighters are trained during regular working hours. The alternative would be to pay overtime to each firefighter to train while not on shift, however Firefighters cannot be mandated to work on overtime. Training this large a number of firefighters on duty using a traditional classroom based method means a large number of fire companies out of service and unable to respond to 911 calls for both fire and EMS responses. This condition puts the public at risk by depleting the availability of our response force. Subsequently reducing our response capabilities at a time when current conditions in the Ambulance industry have created a much heavier reliance on the fire department's EMS first response ability further increases the risk to public safety and health. Shortage of EMT's and paramedics, increased call volume, increase in mental health calls, hospital overcrowding creating long ambulance drop off times, have yielded much longer wait times for ambulances to arrive on scene of 911 calls making the timely arrival of the first responding fire department all the more necessary.

To maintain an effective response capacity and train our EMT's without the CME program, will come in the form of increased costs come in overtime to backfill on duty personnel while others are training. The fees for the written exam and potential overtime costs for firefighters taking the exam will also be additional costs that are not present in the current CME program.

The potential for catastrophic loss of personnel also exists. Firefighters hired after 2012 are mandated to maintain EMT certification. Should any one of these firefighters fail the recertification test, civil service regulations would dictate the termination of employment for that firefighter.

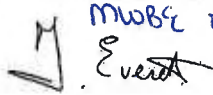
- An ePCR is the only allowable place to document and store HIPAA protected information. Without this solution, the City will be open to many legal implications due to, the inability to properly document our patient encounters and treatment rendered. The improper storage of patient records and the inability to comply with court ordered subpoenas, FOIL requests and HIPAA release requests by patients, their authorized representative's and attorneys.
- The ePCR is also the primary tool used to aggregate data used internal to the City of Rochester for reporting on various performance metrics (i.e. KPI's) to the Fire Chief, Budget Office, Mayor's Office and City Council. Without this solution accurately measuring and reporting any EMS metric would be impossible.

- Is the service **specialized and unique**? Is the number of **qualified providers limited**? Describe the Department's experience with and knowledge of the market and why an RFP would not produce additional qualified consultants.
  - As mentioned due to the ever changing and increasing complexities of the NEMSIS reporting requirements, many vendors are finding they are unable to meet the requirements or the costs to do so are not sustainable. Three years ago, there were five (5) vendors and one private solution (AMR MEDS) totaling six (6) ePCR's. Today, there are only three (3) and through RFD's research have found one of the three is non-compliant with the NEMSIS requirements. As also mentioned ZOLL has not responded to our initial inquiry requesting a quote and demonstration. Leaving one (1) truly viable option.

**Compensation**

Amount: up to \$109,750 First Year Costs and up to \$87,050 Annual Maintenance. The costs are still in negotiation and expected to be less than once program requirements are finalized.

How was this determined? Explain how it is a reasonable and best value for the City. The pricing is from a vendor quote based on RFD's program requirements to date. As mentioned above, Image Trend is RFD's existing electronic interface to New York State Dept. of Health Patient Care System. Other vendors were solicited and fell through or did not respond; leaving Imaging Trend still the most viable option to pursue in addition to minimal departmental downtime.

 M. Everett

MWBE Officer Initials: SMD for SJS Date: 8/3/2023

8/2/23

Signature: Department Head

Date

361

Ordinance No.

**Authorizing an agreement for electronic patient care reporting software and support**

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 ImageTrend, LLC (ImageTrend) to provide software licensing and to support the filing of electronic patient care reports and data submission for Fire Department employees in accordance with the New York State Department of Health reporting mandates. The term of the agreement shall be for two years with the option to extend for up to two additional periods of one-year each. The maximum compensation for the initial term shall be \$157,500, which shall be funded in the amounts of \$89,200 from 2023-24 Cash Capital and \$68,300 from the 2024-25 Budget of the Fire Department, contingent upon approval of the latter budget. The annual compensation for each of the optional extended one-year terms shall be \$68,300 subject to an optional increase of no more than 7% for each year, which shall be funded from the 2025-26 and 2026-27 Budgets of the Fire Department, 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.



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**PUBLIC SAFETY  
COMMITTEE  
INTRODUCTORY NO.  
362**

**Malik D. Evans  
Mayor**

August 29, 2023

POLICE19

TO THE COUNCIL

Ladies and Gentlemen:

Re: Rochester City School District, Overtime  
Police Services

Council Priority: Public Safety; Support the  
Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to agreements with the Rochester City School District (RCSD) for police services. This legislation will:

1. Authorize an intermunicipal agreement with RCSD for the receipt and use of \$787,600 for Police Officers to provide police services during arrival and dismissal times at schools mutually agreed upon by both parties (School Session agreement). The term of the agreement will be September 6, 2023 through June 26, 2024;
2. Authorize an intermunicipal agreement with RCSD for the receipt and use of \$100,000 for police services provided at school district events, including football games, basketball games, and graduation ceremonies (Events agreement). The term of the agreement will be September 1, 2023 through June 30, 2024;
3. Increase the 2023-24 Budget of the Police Department by \$618,800 to reflect receipt of portions of the compensation for the School Session agreement (\$581,800) and for the Events agreement (\$37,000); and
4. Increase the 2023-24 Budget of Undistributed by \$218,800 to reflect receipt of portions of the compensation for the School Session agreement (\$205,800) and for the Events agreement (\$13,000).

The receipt of the remaining \$50,000 in compensation for the Events agreement was anticipated in the existing 2023-24 Budgets of the Police Department (\$37,000) and Undistributed (\$13,000).

RCSD has requested assignment of Police Officers during student arrival and dismissal times at mutually agreed upon schools, for up to 184 school days through the school year. Based on RPD staffing, one or more of the following schools will be covered: Franklin Campus (950 Norton St), Edison Career and Technology High School (655 Colfax St.), Joseph C. Wilson Magnet High School (501 Genesee St.), Northeast College Preparatory High School (940 Fernwood Park), East High School (1801 East Main St.). RCSD will reimburse the City for costs at the Special Events overtime rate of \$107 per hour, which includes fringe, up to a maximum of \$787,520. Four hours of police presence will be provided at arrival times on each of the chosen school days, as well as four hours during dismissal, with one officer provided for each arrival and dismissal. The previous agreement was approved by Ordinance No. 2023-268.

RCSD has also requested assignment of Police Officers on a reimbursable overtime basis for traffic and crowd control at school district events.



The agreement will provide for reimbursement by RCSD of the cost of these services at the Special Events overtime rate of \$107 per hour, which includes fringe, up to a maximum of \$100,000 during fiscal year 2023-24. The previous agreement was approved by Ordinance No. 2022-279.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'ME', with a long horizontal flourish extending to the right.

Malik Evans  
Mayor



**INTRODUCTORY NO.****362**

Ordinance No.

**Authorizing intermunicipal agreements with the Rochester City School District and amending the 2023-24 Budget with regard to overtime police services for school session arrival and dismissal periods and for other events**

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District (RCSD) for sworn City of Rochester Police Officers to provide police services during student arrival and dismissal times at certain school facilities, and to obtain from RCSD reimbursement for such services at a minimum overtime rate of \$107 per hour per officer and not to exceed a total of \$787,600 (School Session Agreement). The term of the agreement shall commence on September 6, 2023 and continue through June 26, 2024.

Section 2. The Mayor is hereby authorized to enter into an intermunicipal agreement with the RCSD for sworn City of Rochester Police Officers to provide police services for certain school district events, including football games, basketball games and graduation ceremonies, and to obtain from RCSD reimbursement for such services at a minimum overtime rate of \$107 per hour per officer and not to exceed a total of \$100,000 (Events Agreement). The term of the agreement shall be from September 1, 2023 through June 30, 2024.

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

Section 4. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to:

- A. the Budget of the Police Department by \$618,800 to reflect receipt of portions of the compensation for the School Session agreement (\$581,800) and for the Events Agreement (\$37,000); and
- B. the Budget of Undistributed by \$218,800 to reflect receipt of portions of the compensation for the School Session Agreement (\$205,800) and for the Events Agreement (\$13,000).

Section 5. This ordinance shall take effect immediately.



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**PUBLIC SAFETY  
COMMITTEE  
INTRODUCTORY NO.  
363**

**Malik D. Evans**  
Mayor

August 29, 2023

MAYOR/OVP21

TO THE COUNCIL

Ladies and Gentlemen:

Re: Inter-Municipal Agreement – Rochester City School District’s Utilization of Pathways to Peace for School Based Programming

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

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

- 1) Authorize an inter-municipal agreement with the Rochester City School District for the receipt and use of \$43,636.36 for a term of one year.
- 2) Amend the 2023-24 Budget of the Office of the Mayor by \$40,500, and amend the 2023-24 Budget of Undistributed Expenses by \$3,200 according the agreement above.

Under this agreement the District will reimburse the City for Pathways to Peace (PTP) staff expenses. The City of Rochester Mayor’s Office of Violence Prevention Programs will create a school-based (PTP) program consisting of one school-day staff person. PTP will operate within the East High Upper and Lower Schools facility during the 2023-2024 school year.

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

This agreement is pending Board of Education approval.

Respectfully submitted,

Malik D. Evans  
Mayor



363

Ordinance No.

**Authorizing an intermunicipal agreement and amending the 2023-24 Budget for the Pathways to Peace school based programming**

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement for the receipt and use of \$43,636.36 from the Rochester City School District (RCSD) in return for the City providing Pathways to Peace school-based program staffing at RCSD's East High Upper and Lower Schools facility during the 2023-24 school year.

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

Section 3. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Office of the Mayor by the sum of \$40,500 and to the Budget of Undistributed Expenses by \$3,200, which amounts are hereby appropriated from funds to be received under the agreement and for the purpose authorized by Section 1 herein.

Section 4. This ordinance shall take effect immediately.



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**Malik D. Evans**  
Mayor

**PUBLIC SAFETY  
COMMITTEE  
INTRODUCTORY NO.**

**364**

August 29, 2023

POLICE25

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Rochester Area Crime Stoppers, Inc.

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area:  
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$15,000 as maximum compensation for an agreement with Rochester Area Crime Stoppers, Inc. (Chairperson: Bob Lukasiewicz). The term of the agreement will be July 1, 2023 through June 30, 2024. The cost of this agreement will be funded with Department of Treasury federal forfeiture funds that were appropriated for this purpose in the 2023-24 Budget of the Police Department.

Rochester Area Crime Stoppers, Inc. is an organization that promotes anonymous crime tips and provides rewards for tips that result in arrests. It also publishes the *Fugitive Flyer* to assist local law enforcement in arresting felony fugitives, and produces public awareness materials geared towards eliminating gun violence.

Respectfully submitted,

Malik D. Evans  
Mayor



**Authorizing an agreement relating to the Crime Stoppers program**

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Rochester Area Crime Stoppers, Inc. for services relating to the solicitation of anonymous crime tips and the provision of rewards for tips which result in arrests. The maximum compensation for the agreement shall be \$15,000, which shall be funded from the 2023-24 Budget of the Police Department. The term of the agreement shall be July 1, 2023 through June 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.



**City of Rochester**

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**FINANCE  
INTRODUCTORY NO.**

**365**

**Malik D. Evans**  
Mayor

August 29, 2023      BHRM 20

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appointment Civil Service Commission  
for the City of Rochester

Council Priority: Jobs and Economic  
Development

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation confirming the appointment of Edward Stulginsky, Rochester, New York 14607, to the Civil Service Commission for the City of Rochester.

Mr. Stulginsky will replace Terrance Youmans who resigned from the Commission on August 7, 2023. Mr. Stulginsky is an Independent and will serve the remainder of Mr. Youman's term, which will extend to May 31, 2026.

A resume for Mr. Stulginsky is available for review in the City Clerk's Office.

A summary description of the Commission and its current membership is attached.

Respectfully submitted,

Malik D. Evans  
Mayor



## CURRENT CIVIL SERVICE COMMISSION

Name	First Appointed	Current Appointment	Current Term Ends	Ethnicity	Political Party
Kramer, Carol*	1/19/2021	1/19/2021	5/31/2024	Caucasian	Democrat
Thomas, Tashanda	1/18/2022	5/10/2022	5/31/2028	African American	Democrat
Dimock, Andrew	1/18/2022	5/10/2022	5/31/2028	Caucasian	Democrat
Rivera, Orlando	8/22/2022	8/22/2022	5/31/2027	Hispanic	Republican
Stulginsky, Edward**			5/31/2026	Caucasian	Independent

\*Chair until 5/31/2024

\*\*Contingent upon City Council Approval

### **Responsible Department**

Department of Human Resource Management

### **Description and Duties**

The Civil Service Commission administers Civil Service Law for City government and the Rochester Housing Authority and prescribes rules governing various personnel transactions. In addition, the Civil Service function classifies all positions, develops and administers civil service examinations, establishes lists of eligible job applicants, and hears appeals. The Commission shall perform all the duties which may be conferred or imposed upon it by or pursuant to law.

### **Membership Requirement and Length of Term**

- Five (5) members, must be City residents per Public Officers Law
- One (1) of the five (5) Members shall serve as Chairperson each year.
- Not more than three (3) shall at any time be adherents of the same political party.
- Six (6) year terms

### *Executive Secretary to the Civil Service Commission*

- There shall be a position of Executive Secretary to the Civil Service Commission, who shall be appointed by the Mayor.
- The Executive Secretary shall, on behalf of and under the supervision of the Commission, have the responsibility for the administration of the Civil Service Law and the establishment of a merit system, including competitive examination for positions in the classified service under the jurisdiction of the Civil Service Commission of the City of Rochester.
- The Executive Secretary may appoint, with the approval of the Mayor, and to the extent provided within the operating budget such subordinates and assistants as may be required to perform the responsibilities of the office, and with the approval of the Commission, such examinations proctors as may be necessary for the conducting of examinations. The Executive Secretary shall perform such additional functions as determined by the Mayor.

### **Appointment Process**

- **Members are appointed by the Mayor and subject to confirmation by City Council.**
- The Chair of the Commission shall be elected annually by majority vote of the Members
- The Members shall not be removed from office, except for cause determined after public hearing as required by law.

Additional information: City Charter Article 12-11 (Municipal Civil Service Commission)

**INTRODUCTORY NO.**

**365**

Resolution No.

**Resolution approving appointment to the Rochester Civil Service Commission**

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

Section 1. The Council hereby approves the appointment of Edward Stulginsky to the Rochester Civil Service Commission for a term which shall expire on May 31, 2026, which is the remainder of the term of the former Commission member Terrance Youmans, who has resigned.

Section 2. This resolution shall take effect immediately.





## City of Rochester

City Hall Room 308A, 30 Church Street  
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## FINANCE INTRODUCTORY NO.

# 366

Malik D. Evans  
Mayor

MAYOR 22

August 29, 2023

TO THE COUNCIL

Ladies and Gentlemen:

Re: Grant Acceptance for the Office of  
Financial Empowerment

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to funding for the City's Office of Financial Empowerment. This legislation will:

- 1) Authorize a grant agreement with Cities for Financial Empowerment Fund, Inc. (Jonathan Mintz, Executive Director, 44 Wall St #1050, New York, NY 10005) for receipt and use of a \$25,000 grant for the purpose of launching a Bank On Coalition.
- 2) Amend the 2023-24 Budget of the Office of the Mayor by \$25,000 for the funding from Cities for Financial Empowerment Fund as outlined above.

This funding will be used to support the launch of a Bank On Rochester Coalition, which aims to make safe and affordable banking products for low income families more accessible to Rochester residents. Bank On Coalitions exist across the country and serve to bring financial institutions, nonprofits, municipalities, and low-income residents together to promote access to banking. This funding will support costs associated with staff training, hosting events, marketing materials, and travel to national Bank On conferences.

Respectfully submitted,

Malik D. Evans  
Mayor



**Authorizing an agreement and amending the 2023-24 Budget to establish a Bank On Coalition**

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 Cities for Financial Empowerment Fund, Inc. for the receipt and use of a grant in the amount of \$25,000 to establish a Bank On Coalition for promoting access to banking for low income families. The agreement shall have a term of one year.

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

Section 3. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Office of the Mayor by \$25,000 to reflect receipt of the grant funds authorized herein, which are hereby appropriated for the purpose described in Section 1 herein.

Section 4. This ordinance shall take effect immediately.



**FINANCE  
INTRODUCTORY NO.**

**367**

August 29, 2023      LAW 23

TO THE COUNCIL

Ladies and Gentlemen:

Re: Telecom Master License Agreement- Uniti  
National LLC

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area:  
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing a master license agreement with Uniti National LLC (Uniti), which provides telecommunications services over its facilities in the City of Rochester. Uniti is a successor to Windstream Holdings Inc., having acquired certain assets in settlement of Windstream's 2019 bankruptcy. Uniti owns, maintains, operates and controls a fiber-based telecommunications network that provides high speed internet and data transport services to residential and commercial customers in the City of Rochester. Uniti will maintain their fiber based facilities and may install and maintain additional facilities in the public right-of-way (ROW).

The terms of the master license agreement are consistent with the Chapter 106, the Telecommunications in the Right-Of-Way Code of the City of Rochester, adopted by Ordinance No. 2019-34 (Telecommunications Code). The Telecommunications Code established the process and standards for master license agreements with telecommunications providers. The master license agreement includes provisions for a term of ten years with two five-year renewals, a compensation schedule, requirements for insurance, security and other requirements, all as set forth in Chapter 106 or in the Rules and Regulations for Work in the Right-of-Way which were adopted by the City Engineer pursuant to Chapter 106.

Based on the current size of Uniti's fiber network in the City ROW, the compensation to be paid for those facilities will be approximately \$20,000 annually. It is not known at this time, whether new facilities may be installed or acquired by Uniti, as this will be dependent on customer needs. However, all new fiber and other related facilities will be subject to individual permit approval before installation and the compensation paid to the City will be determined by the amount of facilities in the ROW as set forth in Section 106-15 of the Telecommunications Code.

Respectfully submitted,

Malik D. Evans  
Mayor



**INTRODUCTORY NO.**

**367**

Ordinance No.

**Authorizing a master license agreement with Uniti National LLC**

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

Section 1. The Mayor is hereby authorized to enter into a master license agreement with Uniti National LLC for the installation and operation of telecommunications facilities and accessory equipment in the public right-of-way. The term of the master license agreement shall be ten years, with the option to extend for up to two additional five-year renewal terms.

Section 2. The master license agreement shall be subject to a compensation schedule, insurance requirements, security arrangements and all other provisions and requirements of Chapter 106 of the Municipal Code, Telecommunications in the Right-of-Way.

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

Section 4. This ordinance shall take effect immediately.



## City of Rochester

City Hall Room 308A, 30 Church Street  
Rochester, New York 14614-1290  
www.cityofrochester.gov

Malik D. Evans  
Mayor

### FINANCE INTRODUCTORY NO.

368

August 29, 2023 LAW 24

TO THE COUNCIL

Ladies and Gentlemen:

Re: Amendatory legal services agreement  
with Harter Secrest & Emery LLP for  
securities litigation

Transmitted herewith for your approval is legislation increasing the maximum compensation for a professional services agreement with Harter Secrest & Emery LLP related to securities litigation commenced last year by the U.S. Securities and Exchange Commission. This litigation is wholly related to an attempt to hold the City of Rochester and the City's former Finance Director liable for the failure of the Rochester City School District to disclose certain financial information.

The professional services agreement, as authorized in July 2022 in Ordinance No. 2022-183 and as amended by Ordinance No. 2023-30 in January and by Ordinance No. 2023-139 in April, authorizes maximum compensation in the amount of \$150,000. The legislation would increase the maximum compensation by \$200,000, which will be funded from the 2023-24 Budget of Undistributed Expenses.

Respectfully submitted,

Malik D. Evans  
Mayor



368

Ordinance No.

**Authorizing an amendatory agreement relating to securities litigation 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 Harter Secrest & Emery LLP to continue to provide legal services with regard to securities litigation. The amendatory agreement shall amend the existing agreement, which was authorized by Ordinance No. 2022-183 and amended by Ordinance Nos. 2023-30 and 2023-139, to increase the maximum compensation by \$200,000. The amendatory compensation shall be funded from the 2023-24 Budget of Undistributed Expenses.

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

Section 3. This ordinance shall take effect immediately.