

**Additional Proposed Legislation for the
June 18, 2024 City Council Meeting -**

*** * Please Note * ***

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



**City of Rochester
Rochester City Council**

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

**Budget, Finance & Governance
Introductory No.**

246

Miguel A. Meléndez, Jr., Council President, Councilmember-At-Large



May 31, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – General Code, LLC,
Indexing of City Council Annual
Proceedings

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with General Code, LLC, (Gary Domenico, President, Gates, NY) for indexing of Council Proceedings services. The cost of this agreement will be funded from the 2023-24 (\$10,000), 2024-25 (\$10,000) and 2025-26 (\$10,000) Budgets of City Council & Clerk, contingent upon approval of future budgets.

General Code will provide indexing services of annual Council proceedings for the City Clerks' Office. The vendor will prepare a print ready document for each year's Proceedings publication. General Code was selected for these services based on continuous history of excellent service for this unique service. The firm also maintains and publishes the City Charter and Code in both paper and web-based versions. A full justification for not issuing a request for proposals is attached.

A contract has been in place with General Code for these services since 2022. Prior Council action includes 2022-72 and 2023-190. The term of this agreement will be for 3 years, with the option of 2 one-year renewals.

Respectfully submitted,

Miguel A. Meléndez, Jr.
President

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MAY 31 2024

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: *City Clerk's Office*

Service(s): *Index Creation for annual proceedings*

Vendor/Consultant selected: *General Code, LLC*

How was the vendor selected?

Why was no RFP issued for this service?

(Your rationale should include the following information when applicable)

- 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.

The City has worked with General Code since 1964. They have done an excellent job providing unique services. Also, they are a locally-owned business.

- Are there **unique or emergency circumstances?** Describe how an RFP process would jeopardize the success of the project.

We have had a business relationship with this vendor for 60 years. They assist us with updates to the City code, both online and in print. They are familiar with the work we do, and for the past year, they have assisted us by providing indexing services for the annual proceedings of the council.

This work is very detailed and specialized, and they have done an excellent job. For the sake of consistency with the proceedings, it would be best to continue working with them.

- 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.

An RFP was issued in the 1990's and General Code was the only business that responded to update the charter and code and they recently agreed and completed an index for Council proceedings for 2017-2021. This is a very specialized job, and General Code's with the procedure will save time and additional costs.

o Does the project include **multi-year State or Federal funding**? Explain why it is in the best interest of the project and the City to continue with the same consultant (e.g. where the design consultant on a project is retained for resident project representation services).

There is no State or Federal funding involved in this project.

Compensation

Amount: \$10,000 per year for three years; total compensation is \$30,000, with an option for up to two additional one year terms for an additional \$10,000 each year.

How was this determined? The amount was determined through discussion with a representative of General Code, based on the amount of work involved with developing an index for each volume of the proceedings

Explain how it is a reasonable and best value for the City.

General Code, being a local business, is aware of the City's budget constraints, and has made an effort over the years to not raise their fees. We previously contracted with General Code for indexing services; General Code also has provided the updates to the charter and the code for several years. The service they provide is exceptional.

INTRODUCTORY NO.

Int. ___

246

Ordinance No.

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

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with General Code, LLC to prepare annual indexes for the Council Proceedings for 2022 and subsequent years. The agreement shall have a term of three years with the option to extend for up to two additional 1-year periods. The maximum annual compensation shall be \$10,000, which shall be funded for the initial term in the amounts of \$10,000 from each of the 2023-24, 2024-25 and 2025-26 Budgets of the City Council and Clerk, contingent upon approval of the latter two budgets. The compensation for the optional fourth and fifth years shall be funded from the 2026-27 and 2027-28 Budgets of the City Council and Clerk contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

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

Malik D. Evans
Mayor

**Neighborhoods, Jobs & Housing
Introductory No.**

247

June 4, 2024

NBD 57

TO THE COUNCIL

Ladies and Gentlemen:

Re: Street Takings:
Bull's Head Revitalization Project

Council Priority: Creating and Sustaining a Culture of
Vibrancy
Comprehensive Plan Area: Fostering Prosperity and
Opportunity

Transmitted herewith for your approval is legislation related to property acquisitions for street purposes as part of the Bull's Head Revitalization Project (Project). The City, with assistance of the New York State Department of Transportation (NYSDOT) and the Federal Highway Administration (FHWA), has prepared a draft design for reconfiguring the streets located on the north side of West Main Street and bounded by Brown Street, Essex Street, Silver Street and York Street. The reconfiguration is intended to improve traffic flow and to increase the streets' capacity to handle the increased traffic anticipated from the Project's private redevelopment of the area.

The parcels to be acquired are listed on the first page of the ordinance and the street reconfigurations are described on the second.

The parcels slated for acquisition in fee or via temporary easements are approximate and the City will not be ready to pursue the acquisitions until the plans for the street reconfigurations are firmed up as part of final design. Instead, this ordinance provides the determination and findings required by the Eminent Domain Procedure Law to establish the public purpose necessary for the City pursue the street takings by eminent domain when the time comes.

The proposed street takings are small and limited to strips and corner segments because the most significant street extensions and relocations set forth in the reconfiguration plan run through properties already owned by the City. Therefore, the street takings will not require the removal of any residential or commercial buildings nor relocating the occupants thereof.

A public hearing is required.

Respectfully submitted,

Malik D. Evans
Mayor

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INTRODUCTORY NO.

247

Ordinance No.

Adopting determinations and findings relating to the acquisition of land parcels in fee and temporary easements for street purposes relating to the Bull’s Head Revitalization Project

WHEREAS the City of Rochester proposes to acquire land parcels in fee and temporary easements for street purposes (Street Takings) relating to the Bull’s Head Revitalization Project (Project) with the parcels affected, their reputed owners, and the approximate sizes in square feet (sf) of the portions that may be acquired in fee title (FEE) and/or by means of a temporary easement (TE) as follows:

Address	SBL No.	Owner	FEE sf	TE sf
89 Genesee St	120.50-2-1.8	The Rochester St. Mary’s Residence Facility, LLC	3,287	4,981
29 Genesee St	120.50-2-1.2	The Rochester St. Mary’s Residence Facility, LLC,	2,253	
50 Chili Av	120.50-1-7	West Avenue Methodist Episcopal Church	887	
819-927 W Main St	102.43-2-2	Rochester Main LLC	74	
816-824 W Main St	120.43-1-41.1	ZS Property Holdings LLC	210	1,104
194 Silver St	120.42-2-14.1	Emanuel Bradberry	218	
757 Brown St	120.43-1-47	ZS Property Holdings LLC		1,110
751-753 Brown St	120.43-1-48	ZS Property Holdings LLC		1,122
749 Brown St	120.43-1-49	ZS Property Holdings LLC		1,186
743 Brown St	120.43-1-50	ZS Property Holdings LLC		322
40 West Av	120.42-1-61	Rhema Life Community Church	44	

hereinafter referred to as the “Street Takings.”

WHEREAS, the City has considered the Street Takings proposal with regard to its public purpose and other factors pursuant to Article 2 of the EDPL, including consideration before the Council at a public hearing on June 13, 2024, and by other means as described herein;

WHEREAS, the Bull’s Head Urban Renewal Area (Area) was established in 2009 by Ordinance No. 2009-107 and its boundaries extended in 2017 by Ordinance No. 2017-5 for the purpose of revitalizing and redeveloping the part of the Bull’s Head neighborhood so designated and comprised of approximately 34 acres adjacent or proximate to the segment of West Main Street extending between the two offset intersections of West Main Street/Genesee Street/Brown Street and West Main Street/Chili Avenue/West Avenue/York Street;

WHEREAS, based on years of collaborative planning by residents, commercial establishments, other stakeholders and the City of Rochester (City), the City’s

Department of Neighborhood and Business Development (NBD) prepared and this Council approved (in Ordinance No. 2018-230) the Bull's Head Urban Renewal Plan (2018 Plan) as a conceptual first phase focusing on a targeted area within the eastern portion of the Area with a conceptual mixed land use plan and commencement of environmental due diligence and land acquisition to assemble marketable sites that suitably sized and situated for redevelopment;

WHEREAS, a national developer team engaged by the City, DevelopROC, LLC, has proposed a plan (Development Plan) for a mixed-use private development within the 2018 Plan's targeted area comprised of approximately 12 acres of mostly City-owned land on two assembled parcels, one on the north side of West Main Street and bounded by Brown Street, Essex Street, Silver Street, and York Street and the second on the south side of West Main Street comprised of the former Bull's Head Plaza;

WHEREAS, implementing the new Development Plan is expected to generate a significant increase in pedestrian, cyclist, and vehicular traffic for the transportation network within and surrounding the targeted area;

WHEREAS, consultants have undertaken various studies to evaluate the existing transportation conditions, deficiencies, and engineering considerations within and near the targeted area for the Development Plan, an effort that has been enhanced and funded by approximately \$7.5 million in Federal Transportation Improvement Program funding to enhance public infrastructure and accommodate new development in the targeted area;

WHEREAS, a May 2024 Draft Design Report for the Bull's Head Revitalization Project (Draft Design Report), which was prepared by Erdmann Anthony and Associates with the cooperation of the City, the New York State Department of Transportation (NYSDOT) and the Federal Highway Administration (FHWA), presents and analyzes a Bull's Head Revitalization Street Plan (Street Plan) that includes:

- realigning Brown Street;
- reconfiguring Danforth Street and Silver Street in association with the extension of Genesee Street north to form a new intersection;
- reconfiguring the two offset intersections of West Main Street/Brown Street/Genesee Street and West Main Street/Chili Avenue/West Avenue/York Street;
- installing a new street connection between York Street and Algonquin Street;
- removing Ruby Place and Kensington Street;
- milling and resurfacing the existing streets that are not being reconfigured or removed;
- adding amenities including dedicated bike lanes and improved lighting; and
- utility improvements and relocation as necessary.

WHEREAS, the Draft Design Report identifies project objectives that include:

1. improving vehicular operational and safety by reconfiguring two complex, offset signalized intersections and replacing the traffic signals using cost effective methods to reduce delay and to provide an acceptable level of service for a design period of 20 years;
2. addressing geometric deficiencies, particularly associated with skewed intersection approaches, long crossing distances, and limited sight distances;
3. improving and promoting multi-modal transportation access including accommodations for pedestrian, bicycle and transit facilities;
4. improving sidewalks, curbs and other street facilities in compliance with the Americans with Disabilities Act and its guidelines to improve the safety of pedestrian, bicycle and motor vehicle traffic;
5. improving the urban streetscape and public realm of the street network including enhancements to lighting, landscape, and other amenities to support revitalization;
6. promoting reinvestment in the adjacent existing and new development land parcels by increasing the capacity and improving the geometry of the street network;
7. addressing geometric deficiencies at the offset intersections to improve traffic flow, reduce vehicular congestion, and improve street safety; and
8. improving the visual quality of the built environment and adjoining streetscape.

WHEREAS, the City and its consultants evaluated the following design alternatives for whether they would accomplish the Project objectives;

- No Build/Maintenance – Under this alternative, the City would retain and conduct routine maintenance on the current configuration of streets in the Project area. This alternative was dismissed from further study for failure to satisfy Project objectives because the existing roadways do not have the capacity to handle the increased traffic from the planned private development of the area.
- Sub-alternative 1: The Street Plan as proposed except for placing a roundabout at the new the Brown Street/Genesee Street intersection and installing a second southbound lane to Genesee Street's southbound approach to West Main Street. This subalternative was eliminated from further study because the roundabout's proximity to the existing signalized West Main Street/Genesee Street intersection would result in southbound queues that would back up into the roundabout during peak hours and high volume events.
- Sub-alternative 2: The Street Plan as proposed except for creating an unsignalized intersection at the new Brown Street/Genesee Street intersection, realigning Brown Street through two simple curves to align with Genesee Street across West Main Street, extending Taylor Street south to meet Brown Street perpendicularly, and adding a northbound left turn lane on Brown Street to accommodate the high anticipated left turn volume for the proposed Development Plan. This alternative was eliminated from further study because the reverse

curves on the realigned Brown Street would limit sight distances and the new intersection of Taylor Street with Brown Street would be located on a curve.

- Sub-alternative 3: The Street Plan as proposed except for extending Genesee Street and realigning Brown Street to meet at a new signalized intersection directly north of the existing West Main Street/Genesee Street intersection, configuring northbound Genesee Street to include one through lane and one right turn lane, configuring southbound Genesee Street and westbound Brown Street westbound for one lane in each direction, and configuring all of the streets approaching the intersection to have one receiving lane. This sub-alternative was assessed to be reasonable and worthy of further consideration.

WHEREAS, through the alternative evaluation process, the City has determined that the above described Street Plan alternative with its related Sub-alternative 3 are both reasonable alternatives and should remain under consideration for further evaluation as the Project proceeds to final design;

WHEREAS, the Project's review is being progressed as a National Environmental Policy Act (NEPA) Class II Categorical Exclusion action and, in accordance with programmatic agreement between the two agencies, NYSDOT will make the NEPA environmental determination on behalf of FHWA; and

WHEREAS, the Project's environmental review is being progressed as a State Environmental Quality Review (SEQRA) Act Type I action, with the City serving as lead agency; and

WHEREAS, the City has prepared and circulated to the involved agencies a Full Environmental Assessment Form (FEAF) and included in Part 3 thereof a preliminary Negative Declaration, supported by twenty pages of supporting analysis, which concludes that the Project does not present the potential for any significant adverse impact to the environments;

WHEREAS the City's Department of Environmental Services presented the complete FEAF with the preliminary Negative Declaration to the Rochester Environmental Commission (REC) for review pursuant to the City's Chapter 48 Environmental Review Ordinance and the REC voted to endorse the Negative Declaration at it May 6th meeting;

WHEREAS, the preferred Street Plan alternative would require the City to acquire real property ownership and/or easement interests from eleven private properties as listed above (Street Takings);

WHEREAS, the Street Takings are limited to strips and corner segments will not require the removal of any homes or businesses because the Street Plan's most significant street extensions and relocations run through properties already owned by the City;

WHEREAS, at a Public Information Meeting held on February 27, 2024, City representatives presented the proposed street design concepts and alternatives to the public and no attendee expressed concern about the proposed Street takings;

WHEREAS, after providing advance notice to the public by newspaper notices and the City website and mailed notice to each affected property owner in accordance with Article 2 of the Eminent Domain Procedure Law (EDPL), the City Council hosted a public hearing on June 13 in Council Chambers for the purpose of informing the public and soliciting public input on the public use to be served and public benefit to be obtained by the Project;

WHEREAS, the public hearing was conducted in accordance with the EDPL and persons in attendance were given an opportunity to speak and comment on the proposed Project and to examine documents presented; and

WHEREAS, the minutes of such public hearing were taken down and made available, together with the exhibits and other documents, if any, which were identified or made available during the oral presentation phase thereof, for inspection and examination by the public at the City Council Office, City Hall Room 301A, 30 Church Street, Rochester, New York;

WHEREAS, the City and NYSDOT intend to pursue the design process through to Final Design, at which time the precise boundaries and sizes of the necessary Street Takings will be known so that the City, or NYSDOT on its behalf, can initiate the acquisition process through negotiation or for the highest approved appraisal in accordance with the EDPL and, due to the Federal funding of the Project, in compliance with Federal requirements for eminent domain and the Uniform Relocation Act.

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

Section 1. The Council hereby makes the following determination and findings concerning the proposed Street Takings for the Bull's Head Revitalization Project:

1. The public use to be served is realigning, reconfiguring and improving the capacity of the street network in order to handle the increased demand anticipated in the Development Plan.
2. The benefits to be obtained and purposes to be served by the proposed public project are as follows:
 - a. Geometry. Reconfiguring the two offset intersections of West Main Street/Brown Street/Genesee Street and West Main Street/Chili Avenue/West Avenue/York Street will improve traffic flow and reduced congestion.
 - b. Operational. Addressing geometric deficiencies, particularly associated with skewed intersection approaches, long crossing distances, and limited sight distances.

- c. Safety. The proposed intersection realignment would improve safety by simplifying travel through the Project area.
 - d. Complete streets. Improving sidewalks, curbs and other street facilities in compliance with the Americans with Disabilities Act and its guidelines to improve the safety of pedestrian, bicycle and motor vehicle traffic.
 - e. Urban streetscape. Improving the visual quality of the urban streetscape and public realm of the street network including enhancements to lighting, landscape, and other amenities to support revitalization.
 - f. Transit. Improving and promoting multi-modal transportation access including accommodations for pedestrian, bicycle and transit facilities.
3. The proposed Bull's Head Revitalization Project street improvements are located in the City of Rochester, Monroe County, New York, along the north side of West Main Street and bounded by Brown Street, Essex Street, Silver Street, and York Street.
 4. Of the alternatives considered, the Street Plan as proposed and Sub-alternative 3, which modifies the Street Plan to extend Genesee Street and realign Brown Street to meet at a new signalized intersection directly north of the existing West Main Street/Genesee Street intersection, both are feasible and would satisfy the Project objectives, so that the choice can be made as part of final design.
 5. The proposed Project is undergoing a thorough and proper review in accordance with the National Environmental Policy Act (NEPA) and the State Environmental Quality Review (SEQR) Act. The Project will not, individually or cumulatively, have a significant adverse environmental impact.
 6. The Project's proposed Street Takings consist of strips and corner pieces that will not require the removal of any residential or commercial buildings nor relocating the occupants thereof. Compliance with the EDPL and with Federal eminent domain laws will assure just compensation to the affected property owners.

Section 2. This ordinance shall take effect immediately.



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June 4, 2024

OMB 58

TO THE COUNCIL

Ladies and Gentlemen:

Re: 2024-25 Debt Limit

Council Priority: Deficit Reduction and Long
Term Financial Stability

Comprehensive Plan 2034 Initiative Area:
Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing the Debt Limit and Debt Rollover and Debt Extension amounts for the 2024-25 Budget.

2024-25 Debt Limit

The City's self-imposed Debt Limit for tax supported borrowing is equal to the amount of principal on outstanding debt to be redeemed during the fiscal year for which the limit is established. The calculation excludes the redemption of principal on any borrowing approved as an exception to the Debt Limit and is further reduced by specific revenues attributable to bonded debt. The resulting Debt Limit for 2024-25 is \$24,248,400. Attached is the 2024-25 Debt Authorization Plan that calls for borrowing of \$37,843,000 in tax supported funds. An exception to the debt limit in the amount of \$5,494,600 is sought for the Blue Cross Arena Riverside Addition as it relates to the ROC the Riverway Initiative. Additional exceptions are sought for the West River Wall/Former Vacuum Oil Brownfield Cleanup Project (\$4,100,000) and the Vacuum Oil Refinery Cleanup (\$4,000,000) as the City will be pursuing cost-recovery from Exxon-Mobil for Vacuum Oil cleanup related expenses.

Furthermore, the Debt Authorization Plan includes an additional \$5,865,000 supported by the City's Local Works Fund and \$14,058,000 supported by the City's Water Fund.

Debt Rollover 2022-23 and 2023-24

The Debt Authorization Plans for the current and the two immediately prior fiscal years can remain open contingent upon the approval of the rollover amounts. This provides flexibility in the timing of authorizations that vary depending upon project timing, availability of supporting funds, and the participation of private sector partners. The rollover amounts equal the difference between the debt limit for any fiscal year and the sum of the authorizations made from the debt plan associated with that fiscal year. This sum may be further reduced by the amount of unauthorized items in the debt plan that are no longer necessary. The presentation of the rollover also includes any modifications made to the debt plan. Such rollovers do not result in authorizations exceeding the allowable authorization for any year.

2023-24: The tax supported borrowing request for this year was \$31,104,000. Of that amount, \$11,532,000 has been authorized, leaving a balance of \$19,572,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan itemizes projects remaining for this year.

2022-23: The tax supported borrowing request for this year was \$30,032,000. Of that amount, \$21,122,000 has been authorized, leaving a balance of \$8,910,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan itemizes projects remaining for this year.

Time Limit Extensions for 2021-22, 2020-21, 2019-20, 2017-18, 2016-17, and 2015-16



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Time limit extensions are requested when projects are delayed beyond two years by market forces, significant reprogramming of funds, or other circumstances that justify carrying these authorizations beyond their expected authorization dates. Approval of extensions does not result in exceeding the allowable authorization for any fiscal year but is required by City Council Resolution. Extensions acknowledge the importance of these items as well as the fact that future replacement funds are not likely to be available. One-year extensions are requested for the following items based on programming and timing:

2021-22 Project

	<u>Purpose</u>	<u>Amount</u>
Bull's Head Post Demolition Investigation	site improvements	\$ 400,000
CVMF Bldg 200 Redundant Network Frame Room	facility improvements	\$ 174,000
Genesee Riverway – East Side Main to Andrews	site improvements	\$ 1,100,000
Investigation & Remediation - Vacuum Oil	contaminated sites w/in city	\$ 1,500,000
Rundel Library Exterior Building Improvements	facility improvements	<u>\$ 2,000,000</u>
	Total 2021-22 Extension	\$ 5,174,000

2020-21 Project

	<u>Purpose</u>	<u>Amount</u>
Bull's Head	site improvements	\$ 1,371,000
Former Piehler Pontiac Site	contaminated sites w/in city	\$ 300,000
Investigation and Remediation	contaminated sites w/in city	\$ 900,000
Police Section Offices	facility improvements	\$ 3,050,000
Rochester Riverside Convention Center	facility improvements	\$ 5,000,000
Sister Cities Art	site improvements	<u>\$ 300,000</u>
	Total 2020-21 Extension	\$10,921,000

2019-20 Project

	<u>Purpose</u>	<u>Amount</u>
584 Smith Street	facility improvements	\$ 100,000
St. Bernard's Trail Improvements	site improvements	<u>\$ 550,000</u>
	Total 2019-20 Extension	\$ 650,000

2017-18 Project

	<u>Purpose</u>	<u>Amount</u>
Investigation & Remediation – Genesee St.	contaminated sites w/in city	\$ 700,000
Investigation & Remediation - Vacuum Oil	contaminated sites w/in city	<u>\$1,000,000</u>
	Total 2017-18 Extension	\$1,700,000

2016-17 Project

	<u>Purpose</u>	<u>Amount</u>
Investigation & Remediation - Vacuum Oil	contaminated sites w/in city	<u>\$ 500,000</u>
	Total 2016-17 Extension	\$ 500,000

2015-16 Project

	<u>Purpose</u>	<u>Amount</u>
Vacuum Oil BOA River Trail	contaminated sites w/in city	<u>\$ 100,000</u>
	Total 2015-16 Extension	\$ 100,000

Each of these projects depends upon the partnership of developers and the cooperation of other governments. Like any business venture, delays are inevitable when financial or regulatory obstacles delay implementation. At the same time, the City must continue to demonstrate its good faith by the continued availability of these authorizations.

Respectfully submitted,



Malik Evans
Mayor

DEBT AUTHORIZATION SUMMARY REPORT

Amounts in \$000s

As of July 1, 2024

<u>Project</u>		<u>Original</u>	<u>Authorized</u>	<u>Balance</u>	
Fiscal Year		2005			
Type		Water			
DES	W-6 Reservoirs - Gatehouses	155	92	63	Authorized - Ord. 2023-99 (\$92k)
Sum Water		2005	155	92	63
Sum Fiscal Year		2005	155	92	63
Fiscal Year		2016			
Type		Tax			
DES	E-6 Vacuum Oil BOA River Trail	100	0	100	
Sum Tax		2016	100	0	100
Sum Fiscal Year		2016	100	0	100
Fiscal Year		2017			
Type		Tax			
DES	E-6 Investigation & Remediation - Vacuum Oil Refinery	500	0	500	
Sum Tax		2017	500	0	500
Sum Fiscal Year		2017	500	0	500

<u>Project</u>		<u>Original</u>	<u>Authorized</u>	<u>Balance</u>
<u>Fiscal Year</u>		<u>2018</u>		
<u>Type</u>	<u>Tax</u>			
DES E-6 Investigation & Remediation - Genesee		700	0	700
DES E-6 Investigation & Remediation - Vacuum Oil		1,000	0	1,000
Sum Tax	2018	1,700	0	1,700
Sum Fiscal Year	2018	1,700	0	1,700

<u>Fiscal Year</u>		<u>2019</u>		
<u>Type</u>	<u>Tax</u>			
NBD E-3 Bull's Head		500	470	30
Sum Tax	2019	500	470	30
Sum Fiscal Year	2019	500	470	30

Authorized Ord. 2018-323 (\$470K)

<u>Fiscal Year</u>		<u>2020</u>		
<u>Type</u>	<u>Tax</u>			
DES E-6 584 Smith Street		100	0	100
DES S-1 St. Bernard's Trail Improvements		550	0	550
Sum Tax	2020	650	0	650
Sum Fiscal Year	2020	650	0	650

<u>Project</u>			<u>Original</u>	<u>Authorized</u>	<u>Balance</u>	
<u>Fiscal Year</u>			<u>2021</u>			
	<u>Type</u>	<u>Tax</u>				
DES	A-1	Sister Cities Art	300	0	300	
DES	E-6	Bull's Head	1,371	0	1,371	\$710,900 cash swap with Olean-Kennedy project for preliminary design March 2023
DES	E-6	Former Piehler Pontiac Site	300	0	300	
DES	E-6	Investigation and Remediation	900	0	900	
DES	F-5	Rochester Riverside Convention Center	5,000	0	5,000	FY21 Debt Exception (\$5m)
Police	M-8	Police Section Offices	8,370	5,320	3,050	FY21 Debt Exception (\$10m); Debt exception reduced (Res 2021-9 -\$1.63 m); Authorized Ord. 2023-104 (\$4.655m), Ord. 2023-105 (\$192k), Ord. 2024-59 (\$473k)
DES	T-2	Residential Street Rehabilitation	3,250	3,250	0	Authorized Ord. 2020-358 (\$305k) Ord. 2021-78 (\$260k) Ord. 2021-90 (\$200k) Ord. 2021-94 (\$1.402m) Ord. 2021-115 (\$205k) Ord. 2021-120 (\$492k) Ord. 2022-54 (\$386k) Deauthorized Ord. 2023-132 (-\$23k); Authorized Ord. 2023-105 (\$21k); Ord. 2024-120 (\$2k)
DES	T-7	Bridges - Standard Allocation	483	483	0	Authorized Ord. 2021-21 (\$25k); reprogrammed for GVP Pool & Plaza project (-\$67k); Authorized Ord. 2021-295 (\$244k); Ord. 2023-104 (\$14k); Ord. 2024-120 (\$200k)
Sum - Tax		2021	19,974	9,053	10,921	
Sum Fiscal Year		2021	19,974	9,053	10,921	

<u>Project</u>			<u>Original</u>	<u>Authorized</u>	<u>Balance</u>	
<u>Fiscal Year</u>			<u>2022</u>			
Type			Refuse			
DES	M-2	Westside Garage	8,000	0	8,000	
Sum Refuse			2022	8,000	0	8,000
Type			Tax			
DES	E-3	Bull's Head Post-Demolition Investigation	400	0	400	
DES	E-6	Investigation and Remediation - Vacuum Oil Refiner	1,500	0	1,500	
DES	M-2	CVMF Bldg 200 Redundant Network Frame Room	174	0	174	
DES	M-3	Rundel Library Ext Building Repairs Phase 2	2,000	0	2,000	
DES	S-4	Genesee Riverway - East Side Main to Andrews	2,650	1,250	1,400	Authorized Ord. 2022-77 (\$1.25m)
Sum Tax			2022	6,724	1,250	5,474
Sum Fiscal Year			2022	14,724	1,250	13,474

<u>Project</u>			<u>Original</u>	<u>Authorized</u>	<u>Balance</u>	
<u>Fiscal Year</u>			<u>2023</u>			
Type						
Refuse						
DES	M-2	Westside Garage	3,500	0	3,500	
Sum Refuse			2023	3,500	0	3,500
Type						
Tax						
DES	M-3	Bausch & Lomb Library Roof Replacement	681	494	187	Authorized Ord. 2022-340 (\$270k); Ord. 2024-34 (\$224k)
DES	M-3	Rundel Library East Terrace Repairs	500	0	500	
DES	M-6	Chamber Bldg Basement Structural, Waterproof, HVAC	1,125	0	1,125	
DES	M-8	Goodman Firehouse	1,613	0	1,613	
DES	M-8	Public Safety Bldg Condenser and Heat Recovery	930	0	930	
DES	T-2	Aqueduct Street Group	1,450	1,030	420	Authorized Ord. 2023-5 (\$500k); Ord. 2023-349 (\$530k)
DES	T-2	Pavement Preventive	1,000	1,000	0	Authorized Ord. 2023-40 (\$688k); Ord. 2024-19 (\$10k); Ord. 2024-120 (\$302k)
DES	T-2	South Avenue and Stone Street	4,135	0	4,135	
Sum Tax			2023	11,434	2,524	8,910
Type						
Water						
DES	T-2	South Avenue and Stone Street	455	0	455	
DES	T-2	Residential Street Rehabilitation	815	689	126	Authorized Ord. 2023-72 (\$223k), Ord. 2024-17 (\$103k), Ord. 2024-54 (\$284k), Ord. 2024-79 (\$79k)
Sum Water			2023	1,270	689	581
Sum Fiscal Year			2023	16,204	3,213	12,991

<u>Project</u>		<u>Original</u>	<u>Authorized</u>	<u>Balance</u>	
Fiscal Year		2024			
Type	General				
DES	GVP Ice Plant and MEP	2,700	0	2,700	
DES	City Hall Cooling Tower	850	0	850	
DES	City Hall A Bldg Window/Heat Pump/Envelope Phase I	341	0	341	
DES	Broad & Allen Firehouse Renovation	800	0	800	FY24 Debt Exception
DES	131K North Goodman Street	2,625	2,625	0	Authorized Ord. 2024-12 (\$2.48m), Ord. 2024-19 (\$120k); Ord. 2024-120 (\$25k)
NBD	Bull's Head	250	0	250	
DES	Carter Street R-Center Roof Replacement	765	566	199	Authorized Ord. 2024-92 (\$566k)
DES	LED Installation and Pole Replacement	500	0	500	
DES	MLK Playground Renovation	1,978	0	1,978	
DES	Milling and Resurfacing	3,000	0	3,000	
DES	Pavement Preventive	1,000	1,000	0	Authorized Ord. 2024-38 (\$982k); Ord. 2024-78 (\$17k); Ord. 2024-120 (\$1k)
DES	Residential Street Rehabilitation	4,100	4,100	0	Authorized Ord. 2024-15 (\$30k), Ord. 2024-53 (\$3.775m); Ord. 2024-120 (\$295k)
DES	West River Wall/Former Vacuum Oil Brownfield	2,500	0	2,500	FY24 Debt Exception
DES	Vacuum Oil Refinery Cleanup	3,000	0	3,000	FY24 Debt Exception
DES	West Main Street and South Plymouth Avenue	200	55	145	Authorized Ord. 2024-120 (\$55k)
DES	Goodman Firehouse Renovations	1,600	0	1,600	FY24 Debt Exception
Sum	General	2024	26,209	8,346	17,863
Type	Library				
DES	Maplewood Community Library Renovation	633	316	317	FY24 Debt Exception (partial); Authorized Ord. 2024-118 (\$316k)

<u>Project</u>		<u>Original</u>	<u>Authorized</u>	<u>Balance</u>	
Sum Library	2024	633	316	317	
Type	Local Work				
DES	Sidewalk Ramp Installation	340	0	340	
Sum Local Work	2024	340	0	340	
Type	NYS				
DES	Bipartisan Infra Law - Lead Service Replacement	14,000	14,000	0	Authorized Ord. 2024-129 (\$14m)
Sum NYS	2024	14,000	14,000	0	
Type	Parking				
DES	Stone Street Garage Upgrades	542	0	542	
Sum Parking	2024	542	0	542	
Type	War Memori				
DES	Blue Cross Arena Bowl Seating Phased Replacement	850	0	850	
Sum War Memor	2024	850	0	850	
Type	Water				
DES	Distribution System Water Main Renewal	4,539	4,094	445	Authorized Ord. 2023-249 (\$1.896m); Ord. 2024-131 (\$2.198m)
DES	Lead Service Replacement	3,136	3,136	0	Authorized Ord. 2023-251 (\$2m); Ord. 2024-131 (\$1.136m)
DES	Residential Street Rehabilitation	840	0	840	
DES	Conduit Modernization	8,127	194	7,933	Authorized Ord. 2024-63 (\$194k)
DES	131K North Goodman Street	805	759	46	Authorized Ord. 2024-13 (\$606k), Ord. 2024-80 (\$153k)
Sum Water	2024	17,447	8,183	9,264	
Sum Fiscal Year	2024	60,021	30,845	29,176	

<u>Project</u>		<u>Original</u>	<u>Authorized</u>	<u>Balance</u>	
Fiscal Year		2025			
	Type	Animal			
DES	Animal Services Kennel and Lobby	900	0	900	
	Sum Animal	2025	900	0	900
	Type	General			
DES	City Hall Sidewalks, Areaways and Stairs	2,200	0	2,200	
DES	Play Apparatus Renovation	750	0	750	
DES	Pavement Preventive	1,500	0	1,500	
DES	57 St. Paul Elevator Modernization	2,148	0	2,148	
DES	Vacuum Oil Refinery Cleanup	4,000	0	4,000	FY25 Debt Exception
Fire	Fire Fighting Apparatus	3,520	0	3,520	
DES	W River Wall/Vacuum Oil Brownfield Cleanup	4,100	0	4,100	FY25 Debt Exception
DES	Maplewood Park Trail Improvements	1,780	0	1,780	
DES	Port Terminal Bldg Rooftop Units	834	0	834	
DES	LED Installation and Pole Replacement	500	0	500	
DES	City Hall Building A Window Replacement	320	0	320	
DES	Winton Road Railroad Underpass Repairs	810	0	810	
DES	Atlantic Ave Railroad Underpass	400	0	400	
DES	Lead Service Replacement Supplemental Pavement Res	5,250	0	5,250	
DES	57 St. Paul Building Automation	1,035	0	1,035	
DES	Convention Center Elevator Modernization	600	0	600	

<u>Project</u>		<u>Original</u>	<u>Authorized</u>	<u>Balance</u>	
Sum General	2025	29,747	0	29,747	
Type	Local Work				
DES	DES Motor Equipment	2,425	0	2,425	
DES	Sidewalk Ramp Installation	350	0	350	
DES	Hazardous Sidewalk Remediation	3,090	0	3,090	
Sum Local Work	2025	5,865	0	5,865	
Type	Parking				
DES	South Ave Garage Upgrades	1,346	0	1,346	
Sum Parking	2025	1,346	0	1,346	
Type	War Mem				
DES	Blue Cross Arena Riverside Addition	5,500	0	5,500	FY25 Debt Exception
DES	Blue Cross Arena Elevator Modernization	350	0	350	
Sum War Mem	2025	5,850	0	5,850	
Type	Water				
DES	Distribution System Water Main Renewal	4,636	0	4,636	
DES	Cobbs Hill Reservoir Fence Rehabilitation	1,000	0	1,000	
DES	Lead Service Replacement Supplemental Pavement Res	5,250	0	5,250	
DES	Lead Service Replacement	3,172	0	3,172	
Sum Water	2025	14,058	0	14,058	
Sum Fiscal Year	2025	57,766	0	57,766	

INTRODUCTORY NO.

248

Resolution No.

Resolution approving the 2024-25 debt limit for general municipal purposes

WHEREAS, an important component of the City's expense budget and tax levy is debt; and

WHEREAS, the amount of debt outstanding is one of the major factors evaluated by credit agencies in the determination of bond rating; and

WHEREAS, control of the debt service expense and the amount of outstanding debt must necessarily be exercised through restrictions on bond and note authorizations; and

WHEREAS, bond ratings influence the rate of interest which must be paid on indebtedness and therefore the amount of debt service; and

WHEREAS, pursuant to the Debt Authorization Policy adopted by City Council in Resolution No. 81-4, exceptions to the debt limit policy are to be approved only for projects and purposes which could not reasonably be foreseen and, if not approved, would result in an obvious public danger or economic loss.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester, that it is the intent and policy of the City to limit the amount of bonds and notes authorized in fiscal year 2024-25 to \$24,248,400 for general municipal purposes.

BE IT FURTHER RESOLVED, unused authorizations from the debt limits for fiscal years 2022-23 and 2023-24 shall continue to be available, but no authorization included in the debt limit for a prior fiscal year, if not actually approved by the City Council, shall be carried over and included in the limit for this fiscal year.

BE IT FURTHER RESOLVED, that, by this resolution, the Council specifically approves inclusion for this fiscal year of unused authorizations from the debt limits for: 2021-22 relating to Bull's Head, facility improvements at the Central Vehicle Maintenance Facility, site improvements on the east side of the Genesee Riverway between Main and Andrews Streets, environmental site investigation and remediation for the former Vacuum Oil Refinery, and facility improvements at the Rundel Library; 2020-21 relating to Bull's Head, the former Piehler Pontiac site on Lake Avenue, environmental site investigation and remediation, Police Section Offices facility improvements, facility improvements at the Rochester Riverside Convention Center, and site improvements at the Sister Cities Bridge; 2019-20 relating to facility improvements for 584 Smith Street and St. Bernard's Trail Improvements; 2017-18 relating to environmental site investigation and remediation for Genesee Street and the former Vacuum Oil Refinery; 2016-17 relating to environmental site investigation and remediation of the former Vacuum Oil Refinery; and 2015-16 relating to the Vacuum Oil BOA River Trail.

BE IT FURTHER RESOLVED, that exceptions to this policy are to be approved only for projects and purposes which could not reasonably be foreseen and, if not approved, would result in an obvious public danger or economic loss; and for projects and purposes for which the debt issued therefor would be self-supporting.

BE IT FURTHER RESOLVED, that the sum of \$13,594,600 is hereby approved as an exception to the 2024-25 debt limit of the City established herein in order to fund a portion of the costs relating to the ROC the Riverway Initiative for the West River Wall/Former Vacuum Oil Brownfield Cleanup Project (\$4,100,000) and the Vacuum Oil Refinery Cleanup (\$4,000,000) and a riverside addition to the Blue Cross Arena at the Rochester War Memorial (\$5,494,600).

BE IT FURTHER RESOLVED, that to insure continued awareness of an adherence to this policy, each separate request for authorized debt shall be accompanied by a report in which the amount of debt actually authorized is compared to the amount of debt herein established as a limit.

BE IT FURTHER RESOLVED, that the redemption of any debt issued as an exception to a debt limit shall be excluded from the calculation of subsequent debt limits.

This resolution 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

**COMMITTEE OF
THE WHOLE
INTRODUCTORY NO.**

249

Mayor 59

June 4, 2024



TO THE COUNCIL

Ladies and Gentlemen:

Re: Confirmation of the Chief Technology Director

Transmitted herewith for your approval is a Legislation Confirming, as required by the City Charter, the appointment of Harriet T. Fisher.

Harriet T. Fisher's resume is on file in the Rochester City Clerk's Office.

Respectfully submitted,

Malik D. Evans
Mayor

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INTRODUCTORY NO.

MAYOR 59

249

Resolution No.

Resolution confirming the appointment of the Chief Technology Officer

WHEREAS, the Mayor has appointed Harriet T. Fisher to the position of Chief Technology Officer, subject to confirmation by the City Council, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Rochester hereby confirms the appointment of Harriet T. Fisher as Chief Technology Officer.

This resolution shall take effect immediately.



250

June 5, 2024

DES 60

TO THE COUNCIL

Ladies and Gentlemen:

Re: Grant Application - United States Department of
Transportation Active Transportation Infrastructure
Investment Program

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing
Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the United States Department of
Transportation's (USDOT) Active Transportation Infrastructure Investment Program (ATIIP).

This legislation will:

1. Authorize the City to apply for ATIIP construction grant funds up to \$15 million to advance conversion of the Running Track rail bridge into a pedestrian bridge; and
2. Authorize the Mayor to enter into any necessary agreement with the USDOT Federal Highway Administration for the ATIIP grant.

The Bipartisan Infrastructure Law established ATIIP to provide discretionary grants to eligible entities to plan, design, and construct eligible projects that provide safe and connected active transportation infrastructure in an active transportation network or active transportation spine. This is the first year ATIIP is accepting applications. ATIIP projects must help improve the safety, efficiency, and reliability of active transportation networks and communities; improve connectivity between active transportation modes and public transportation; enhance the resiliency of on- and off-road active transportation infrastructure and help protect the environment; and improve quality of life in disadvantaged communities through the delivery of connected active transportation networks and expanded mobility opportunities.

The Department of Environmental Services (DES) Bureau of Architecture and Engineering intends to submit an ATIIP grant application to advance the conversion of the Running Track Bridge into a pedestrian bridge over the Genesee River. Per the American Association of State Highway and Transportation Officials, a pedestrian bridge is designed and intended to carry pedestrians, bicyclists, equestrian riders and light maintenance vehicles, but not motor vehicles.

This project will provide a vital bicycle and pedestrian connection between the El Camino Trail and CONEA neighborhood on the east side of the river with the Genesee Riverway Trail and the Edgerton and High Falls neighborhoods to the west. Both the ROC the Riverway Vision Plan and the Rochester 2034 Comprehensive Plan recommend the bridge's conversion, and this project is included in the 2023-24 Capital Improvement Program. The bridge's conversion also is consistent with the City's recently completed Active Transportation Plan, which emphasizes the need for further investment in dedicated bike and pedestrian facilities, as well as continued improvements to the Genesee Riverway Trail. The New York State Department of Transportation awarded the project \$3 million in competitive federal Congestion Mitigation and Air Quality (CMAQ) Improvement Program funds in 2022, yet a significant funding gap remains. With Upstate Revitalization Initiative funds



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made available through the ROC the Riverway initiative, the City completed a project in 2022 to stabilize the structure for this proposed future reuse as a pedestrian bridge.

The ATIIP grant requires a 20% local share of the total project cost, but DES plans to request a waiver available to communities that can demonstrate the project will benefit high-poverty Census tracts. Awarded projects must be obligated by a signed grant agreement by September 30, 2026.

There will be additional Council authorizations including, but not necessarily limited to, those for professional services agreement(s) for the design of the improvements and the appropriation of funds.

Respectfully submitted,

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

Malik D. Evans
Mayor

250

Ordinance No.

Authorizing a grant application relating to the Running Track railroad bridge conversion project

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

Section 1. The Council hereby authorizes the submittal of an application for and the receipt and use of up to \$15 million from the United States Department of Transportation (USDOT) Active Transportation Infrastructure Investment Program (ATIIP) to advance the conversion of the Running Track railroad bridge into a pedestrian bridge.

Section 2. The Mayor is hereby authorized to enter into a grant administration agreement with USDOT or its designee as necessary to effectuate the City's receipt and use of the ATIIP grant. If there is an agreement, it shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.



Rochester Urban Renewal Agency

City Hall Room 223B
30 Church Street
Rochester, New York
14614-1290

Dana K. Miller
Secretary

**Neighborhoods, Jobs & Housing
Introductory No.**

URA-3, 4, 5, 6, 7, 8, 9

June 4, 2024 NBD 55

TO THE RURA:

Ladies and Gentlemen:

Re: RURA Policies and Procedures

Transmitted herewith for your approval are resolutions pertaining to committee review and good governance standards and policies for the Rochester Urban Renewal Agency (RURA).

- 1) The first resolution establishes a Resolution Review Committee and sets up the procedure whereby that committee will conduct the committee review function for all proposed RURA resolutions on one of Council's committee meeting days, i.e., the same day and immediately following the conclusion of the meeting of Council's Neighborhoods, Jobs and Housing (NJH) Committee. The RURA Board members selected for the new Committee are the same individuals as the Councilmembers who have been appointed to Council's NJH Committee.
- 2) The next is a set of resolutions that adopt policies that the RURA is required to adopt pursuant to the NYS Public Authorities Law. The policies pertain to ethics, conflicts of interest, whistleblowers, property acquisition and disposition, procurement and investment.

As you know, the RURA Board consists of the nine members of the City Council. Proposed actions of the RURA Board (resolutions) are presented to you at the same time as proposed Council legislation, so that you can convene and act upon the resolutions separately as the RURA Board during the Council's monthly committee and regular meetings. Until now, the RURA Board has had no formal process or designated committee to conduct the committee review function. Instead, RURA resolutions have been referred to Council's Neighborhood & Business Development committee, now designated as Neighborhoods, Jobs, & Housing. The first resolution will formalize that approach for now while leaving future RURA Boards with the option to name Resolution Review Committee members who are not necessarily members of Council's NJH Committee.

The second resolution adopts policies pertaining to ethics, conflicts of interest, whistleblowers, property acquisition and disposition, procurement and investment. These are policies that the RURA is required to abide by pursuant to the NYS Public Authorities Law (PAL).

All members of RURA Board and I myself serve as officers of RURA *ex officio* in our capacities as officials of the City of Rochester. Moreover, RURA's staffing is provided by City personnel. Until now, RURA has been abiding by good governance standards and policies set forth in the City's own Ethics Code and elsewhere that are similar to PAL's requirements.

However, the NYS Authorities Budget Office has informed us that these measures are not sufficient and that RURA is required to adopt, publish and post on-line its own set of policies. The second set of resolutions and the policies set forth therein are intended to satisfy that requirement.

Respectfully submitted,

Dana K. Miller
Secretary



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INTRODUCTORY NO.

URA - 3

Resolution No. URA-

Resolution establishing a Resolution Review Committee and process

BE IT RESOLVED, by the Rochester Urban Renewal Agency as follows:

Section 1. The Rochester Urban Renewal Agency hereby establishes and appoints the following Boardmembers to a Resolution Review Committee (the "Committee"):

- Michael A. Patterson, Committee Chair
- Kimberly Smith
- Mitch Gruber
- Miguel A. Meléndez, Jr. (*ex officio* as the Board Chair)
- LaShay D. Harris (*ex officio* as the Board Vice Chair)

Section 2. The Committee shall review and report upon all resolutions presented to the Agency Board prior to action by the full Board as provided for herein. A majority of a Committee shall constitute a quorum.

Section 3. The Committee shall meet each month on the same day as and following the conclusion of the meeting of the Neighborhood, Jobs and Housing Committee of the Rochester City Council. The Committee may meet on additional occasions upon the call of the Committee Chair, or any other two members, with reasonable notice to all Committee members. The Committee may hold a public hearing on any proposed resolution referred to it.

Section 4. The Committee shall review and discharge each proposed resolution, by majority vote of the Committee members present, as follows:

- A. Amend the proposed resolution; or
- B. Discharge the proposed resolution to the full Board, with or without an amendment, with an accompanying written report signed by a majority of Committee members present recommending that the Board either adopt, reject or consider it.

If the Committee does not discharge a proposed resolution or if the resolution is presented to the Board after the monthly Committee meeting date, the proposed resolution may be discharged at a meeting of the full Board on a motion duly seconded by the affirmative vote of a majority of the full Board.

Section 5. This resolution shall take effect immediately.

URA - 4

Resolution No. URA-

Resolution adopting a Code of Ethics/Conflict of Interest Policy for the Rochester Urban Renewal Agency

BE IT RESOLVED, by the Rochester Urban Renewal Agency as follows:

Section 1. The Rochester Urban Renewal Agency hereby adopts the following Code of Ethics/Conflict of Interest Policy:

A. Preamble. The officers and employees of the Rochester Urban Renewal Agency (the "Agency") shall perform their duties with transparency and impartiality, to serve and benefit the public and not for personal gain or advantage. The Agency recognizes that in order to implement this fundamental principle there is a need for clear and reasonable standards of ethical conduct. This Code of Ethics/Conflict of Interest Policy (the "Policy") establishes such standards by defining and prohibiting acts incompatible with the public interest.

B. Definitions. When used in this Policy, the following words and phrases shall have the following meanings:

(1) **FAMILY** — The parent, sibling, spouse or child of a person or any members of a person's immediate household.

(2) **OFFICER or EMPLOYEE** — Any person elected, appointed or hired to serve the Agency in any capacity, whether paid or unpaid, for a term fixed or not fixed, on a part-time or seasonal basis, or serving the Agency *ex officio* as an elected or appointed official or employee of the City of Rochester. Officer includes the Agency Secretary, any member of the Agency board ("Board"), and any other designated officer or employee.

(3) **AN INTEREST** — A benefit or advantage of an economic or tangible nature that a person or a member of their family would gain or lose as a result of any decision or action, or omission to decide or act, on the part of an officer or employee.

(4) **CONFLICT OF INTEREST** — A situation in which the interest of an officer or employee comes into actual or perceived conflict with the officer's or employee's duties and responsibilities to the Agency. A perceived conflict occurs in circumstances that would suggest to a reasonable person that an officer or employee may have a conflict. The appearance of a conflict and an actual conflict are treated the same for the purposes of this Policy.

(5) **ETHICS OFFICER** — The Corporation Counsel of the City of Rochester unless and until the Governance Committee of the Board elects to appoint another person to the position or to designate said Committee itself for the position.

C. Ethical standards.

(1) No officer or employee shall have any employment, or engage in any business or commercial transaction, or engage in any professional activity, or incur any obligation, as a result of which, directly or indirectly, they would have an interest that would impair their independence of judgment or action in the performance of their official duties or that would be in conflict with the performance of their official duties.

(2) Officers and employees shall manage all matters within the scope of the Agency's mission independent of any other affiliations or employment. Board members, the Agency Secretary and any other officers and employees serving in an *ex officio* capacity due to their election, appointment or employment by the City of Rochester shall strive to fulfill their professional responsibility to the Agency without bias and shall support the Agency's mission to the fullest.

(3) No officer or employee shall acquire any interest, direct or indirect, in real property of the Agency, in any real property to be acquired by the Agency, or in any real property to be acquired from the Agency.

(4) Officers and employees shall not directly or indirectly, make, advise, or assist any person to make any financial investment or to acquire or dispose of any real estate based upon information available through the officer's or employee's official position that could create any conflict between their public duties and their private interests.

(5) No officer or employee shall have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used by the Agency.

(6) No officer or employee shall have or enter into any contract with a third party who has or enters into a contract with the Agency unless:

(a) The third party contract to which the Agency is a party is with the City of Rochester.

(b) The third party contract is awarded pursuant to the competitive bidding procedures of the General Municipal Law; or

(c) The third party contract is one with respect to which the officer or employee:

[1] Has no interest;

[2] Has no duties or responsibilities, or, if the contract with the person is one which the officer or employee entered into prior to becoming an officer or employee, they abstain from any performance of duties or responsibilities; and

[3] Exercises or attempts to exercise no influence.

(d) No prohibited conflict of interest shall be found involving a contract with a person, firm, corporation or association in which an officer or employee has an interest which is prohibited solely by reason of employment as an officer or employee thereof, if the remuneration of such employment will not be directly affected as a result of such contract and the duties of such employment do not directly involve the procurement, preparation or performance of any part of such contract.

(7) No officer or employee shall discuss, vote on, decide or take part in, formally or informally, any matter proposed or pending in which they have an interest. This provision shall not apply to any officer or employee whose interest in the proposed or pending matter is determined to be *de minimis*, provided that these procedures are followed:

(a) In advance of their participation in the matter, the officer or employee shall

provide a written notice to the Agency Secretary and the Ethics Officer, with courtesy copy to the City of Rochester Corporation Counsel, that completely and specifically describes and discloses their interest, its underlying basis, such as ownership, investment, contract, claim, employment, or relationship, and the benefit or advantage that the disclosing officer or employee would gain or lose if the Agency acted on the matter in various ways.

(b) Thereupon, the Agency Secretary or Ethics Officer shall notify the disclosing officer or employee in writing as to whether either of them believes that a reasonable doubt remains as to whether the interest is *de minimis*, and if either one determines that reasonable doubt remains, the officer or employee shall not participate in the matter.

The participation by an officer or employee in a matter in which they have an interest without obtaining a *de minimis* waiver shall be null and void and may expose the officer or employee to discipline and penalties as set forth herein.

(8) No officer or employee should accept employment or engage in any business or professional activity which will require them to disclose confidential information which they have gained by reason of their Agency position or authority.

(9) No officer or employee should disclose confidential information acquired by them in the course of their official duties nor use such information to further their personal interests.

(10) No officer or employee should use or attempt to use their official position to secure unwarranted privileges or exemptions for themselves or others, including but not limited to, Agency employment, Agency contracts, or the misappropriation to themselves or to others of the property, services or other resources of the Agency.

(11) No officer or employee should engage in any transaction as representative or agent of the Agency with any business entity in which they have a direct or indirect interest that might reasonably tend to conflict with the proper discharge of their official duties.

(12) At no time, should officers and employees conduct themselves in a manner that would give reasonable basis for the impression that any person can improperly influence the officer or employee or unduly enjoy their favor in the performance of their official duties, or that they are affected by the kinship, rank, position or influence of any party or person.

(13) An officer or employee should abstain from making personal investments in enterprises which they have reason to believe may be directly involved in decisions to be made by them or which will otherwise create substantial conflict between their private interest and duty to the public interest.

(14) No officer or employee shall use or permit the use of Agency owned vehicles, equipment, materials or property for the convenience or profit of themselves, a family member, or other person.

(15) No officer or employee shall accept or receive any gift or gratuities where the circumstances would permit the inference that: (a) the gift is intended to influence the individual in the performance of official business or (b) the gift constitutes a tip, reward, or sign of appreciation for any official act by the individual. This prohibition extends to any form of financial payments, services, loans, travel reimbursement, entertainment, hospitality, thing or promise from any entity doing business with or before the Agency. No officer or employee shall solicit any gift, nor shall any officer or employee accept or receive any gift having a value of \$25 or more, regardless of the form of the gift, from any person who has

an interest in any matter proposed or pending before the Agency. The provisions of this subsection shall not apply to contributions solicited or received in accordance with the Election Law of the State of New York.

(16) An Agency contract with a corporation in which an officer or employee has an interest shall not be deemed to create a prohibited conflict of interest under this code/policy based solely on such officer or employee's ownership or control, direct or indirect, of less than five (5) percent of the corporation's outstanding shares of stock.

(17) While disclosure and recusal shall be required, the interest of an officer or employee who is a member of the board of a not-for-profit corporation or association which has a contract with the Agency shall not be prohibited where the remuneration of such officer or employee will not be directly affected as a result of such contract.

(18) No former officer or employee shall at any time after they leave the Agency advocate for a person or organization before the Agency on a specific matter with which he or she was directly involved or of which he or she has special knowledge, unless, after the disclosing in writing to the Secretary and the Ethics Officer the would be recipient and subject matter of the officer's or employee's proposed advocacy, the Secretary and Ethics Officer determine and agree in writing that that such advocacy would not be adverse to the position of the Agency on the matter and would not conflict with the standards and principles of this Policy.

D. Duty to Disclose. All material facts related to conflicts of interest, including the nature of the interest and information about the conflicting matter, *de minimis* waiver requests, and disclose-only determinations, shall be disclosed in good faith and in writing to the Ethics Officer and/or Governance Committee. Such written disclosure shall be made part of the official record of the proceedings of the Agency.

E. Reporting of Violations. Officers and employees should promptly report any violations of this policy in accordance with the Agency's Whistleblower Policy.

F. Discipline and Penalties. The doing of any act prohibited or the failure to do any act required by this Code of Ethics/Conflict of Interest Policy shall constitute grounds for disciplinary action and any officer or employee who violates a provision of this Code of Ethics/Conflict of Interest Policy may be subject to discipline and penalties in the manner provided by law.

G. Annual Disclosure Statements. The Board members and the Secretary shall file annual financial disclosure statements with the City of Rochester Board of Ethics and with the Ethics Officer pursuant to article eighteen of the General Municipal Law.

H. Implementing the Code of Ethics/Conflict of Interest Policy.

(1) This Policy shall be provided to each current officer and employee upon its enactment and to each subsequent officer and employee upon the commencement of their employment, appointment or term of office.

(2) This Policy shall be reviewed annually by the Ethics Officer and/or Governance Committee.

(3) The Ethics Officer, who shall report to the Board, shall have the following duties:

(a) Counsel in confidence Authority directors and employees who seek advice about ethical behavior.

- (b) Receive and investigate complaints about possible ethics violations.
- (c) Dismiss complaints found to be without substance.
- (d) Prepare an investigative report of findings with respect to complaints about possible ethics violations.

Section 2. This resolution shall take effect immediately.

Resolution adopting a Whistleblower Access and Assistance Program

BE IT RESOLVED, by the Rochester Urban Renewal Agency as follows:

Section 1. The Rochester Urban Renewal Agency hereby adopts the following Whistleblower Access and Assistance Program:

A. Purpose. It is the policy of the Rochester Urban Renewal Agency ("Agency") to afford certain protections to individuals who in good faith report violations of the Agency's Code of Ethics/Conflict of Interest Policy or other instances of potential wrongdoing within the Agency. The rules and procedures of this Whistleblower Access and Assistance Program ("Program") set forth below are intended to encourage and enable employees to raise concerns in good faith within the Public Agency and without fear of retaliation or adverse employment action.

B. Definitions. When used in this Program, the following words and phrases shall have the following meanings:

(1) **OFFICER or EMPLOYEE** — Any person elected, appointed or hired to serve the Agency in any capacity, whether paid or unpaid, for a term fixed or not fixed, on a part-time or seasonal basis, or serving the Agency *ex officio* as an elected or appointed official or employee of the City of Rochester. Officer includes the Agency Secretary ("Secretary"), any member of the Agency board ("Board"), and any other designated officer or employee.

(2) **GOOD FAITH** — Information concerning potential wrongdoing is disclosed in "good faith" when the individual making the disclosure reasonably believes such information to be true and reasonably believes that it constitutes potential wrongdoing.

(3) **WHISTLEBLOWER** — Any officer or employee (as defined herein) who in good faith discloses information concerning wrongdoing by another officer or employee, or concerning the business of the Agency itself.

(4) **WRONGDOING** — Any alleged corruption, fraud, criminal or unethical activity, misconduct, waste, conflict of interest, intentional reporting of false or misleading information, or abuse of authority engaged in by an officer or employee (as defined herein) that relates to the Agency.

(5) **PERSONNEL ACTION** — Any action affecting compensation, appointment, promotion, transfer, assignment, reassignment, reinstatement or evaluation of performance.

(6) **ETHICS OFFICER** — The Corporation Counsel of the City of Rochester unless and until the Governance Committee of the Board elects to appoint another person to the position or to designate said Committee itself for the position.

C. Reporting Wrongdoing. All officers and employees who discover or have knowledge of potential wrongdoing concerning officers or employees of this Agency; or a person having business dealings with this Agency; or concerning the Agency itself, shall report such activity in accordance with the following procedures:

(1) The officer or employee shall disclose any information concerning wrongdoing

either orally or in a written report to their supervisor, unless the officer or employee is not comfortable addressing the concern with the supervisor or the officer or employee is not satisfied with the supervisor's response, in which case the officer or employee shall make the report to the Secretary. The Secretary shall notify the City of Rochester Office of Public Integrity (OPI). If the report concerns the Secretary or the officer or employee is not comfortable taking the issue to the Secretary, the officer or employee has the discretion to report directly to the OPI.

(2) All officers or employees who discover or have knowledge of wrongdoing shall report such wrongdoing in a prompt and timely manner.

(3) The identity of the whistleblower and the substance of their allegations will be kept confidential to the best extent possible.

(4) The individual to whom the potential wrongdoing is reported shall investigate and handle the claim in a timely and reasonable manner, which may include referring such information to the OPI, the City of Rochester Corporation Counsel, the NYS Authorities Budget Office's toll free number (1-800-560-1770) or an appropriate law enforcement agency where applicable.

(5) Should an officer or employee believe in good faith that disclosing information within the Agency, to OPI or to the City of Rochester Corporation Counsel as set forth above would likely subject them to adverse personnel action or be wholly ineffective, the officer or employee may instead disclose the information directly to the NYS Authorities Budget Office's toll free number (1-800-560-1770) or an appropriate law enforcement agency, if applicable.

(6) Inquiries and disclosures regarding a particular officer's or employee's potential conflict of interest that are made *prior* to the officer's or employee's opportunity to participate in the matter that would give rise to the ethical conflict shall be reported and disclosed in the manner set forth in this Agency's Code of Ethics/Conflict of Interest Policy rather than as an instance of wrongdoing under this Program.

D. No Retaliation or Interference. No officer or employee shall retaliate against any whistleblower for the disclosure of potential wrongdoing, whether through threat, coercion, or abuse of authority; and, no officer or employee shall interfere with the right of any other officer or employee by any improper means aimed at deterring disclosure of potential wrongdoing. Any attempts at retaliation or interference are strictly prohibited and:

(1) No officer or employee who in good faith discloses potential violations of this Agency's Code of Ethics/Conflict of Interest Policy or other instances of potential wrongdoing, shall suffer harassment, retaliation or adverse personnel action.

(2) All allegations of retaliation against a whistleblower or interference with an individual seeking to disclose potential wrongdoing will be thoroughly investigated by this Agency, or the Ethics Officer or OPI on its behalf.

(3) Any officer or employee who retaliates against or had attempted to interfere with any individual for having in good faith disclosed potential violations of this Agency's Code of Ethics/Conflict of Interest Policy or other instances of potential wrongdoing is subject to discipline, which may include termination of employment.

(4) Any allegation of retaliation or interference will be taken and treated seriously and irrespective of the outcome of the initial complaint, will be treated as a separate matter.

E. Other Legal Rights Not Impaired. The whistleblower policy and procedures provided by this Program are not intended to limit, diminish or impair any other rights or remedies that an individual may have under the law with respect to disclosing potential wrongdoing free from retaliation or adverse personnel action, including without limitation the right of a union member to notify and consult with their union representative and rights set forth in the following State Laws: Civil Service Law § 75-b, Labor Law § 740, State Finance Law § 191 (commonly known as the "False Claims Act"), and Executive Law § 55(1).

F. Notice of Whistleblower Rights. A copy of this Program shall be provided to each current officer and employee upon its enactment and to each subsequent officer and employee upon the commencement of their employment, appointment or term of office.

Section 2. This resolution shall take effect immediately.

Resolution adopting a Real Property Acquisition Policy

BE IT RESOLVED, by the Rochester Urban Renewal Agency as follows:

Section 1. The Rochester Urban Renewal Agency hereby adopts the following Real Property Acquisition Policy:

**REAL PROPERTY ACQUISITION POLICY
ROCHESTER URBAN RENEWAL AGENCY**

The acquisition of real property by the Rochester Urban Renewal Agency ("Agency") shall be governed by the general guidelines set forth in this Policy, and shall at all times be consistent with the provisions of § 555 of the NYS General Municipal Law and all applicable Federal, State, and local laws, rules, regulations and ordinances.

1. Purposes of Acquisition

The acquisition of real property or any interest therein shall support the mission of the Agency in accordance with the purposes of the Urban Renewal Law and the Urban Renewal Agency Act, as set forth in the NYS General Municipal Law at Articles 15 and 15-A, respectively. Those purposes include the acquisition of properties that have a blighting influence on the surrounding area as necessary for or incidental to conducting an urban renewal program that is conducted in accordance with an urban renewal plan adopted or contemplated by the City of Rochester ("City") for a particular urban renewal area.

2. Acquisition Methods and Process

The Agency may acquire real property, or any interest in real property, by gift, grant, devise, purchase, condemnation or otherwise and by condemnation conducted by the City for and on behalf of the Agency.

Prior to deciding whether to proceed with an acquisition, the Agency will have prepared and reviewed:

- An independent appraisal **of the property's fair market value.**
- **An environmental review** for any property that is currently, or was formerly, used for commercial or industrial purposes, or where the potential presence of contamination is suspected for some other reason.
- **A list estimating all costs anticipated to be incurred by the Agency** associated with the proposed acquisition, including the cost of the acquisition transaction, and such subsequent costs as may pertain, including but not limited to costs for title searches, other investigations and due diligence, recording fees, property management, demolition of structures, and disposition of the property.
- **A disposition plan** for redeveloping the property in accordance with the relevant urban renewal program. The plan must include the estimated length of time that the Agency will hold ownership of the property and an anticipated redevelopment schedule that includes the relevant stages, such as

investigation, planning, site preparation and demolition, design, construction and occupancy of the improvements. The redevelopment schedule should include all stages through to completion and occupancy of the property's improvements, even those stages that will occur after the Agency disposes of its ownership interest. The transferee's commitment to abide by a schedule for those post-disposition redevelopment stages shall be included in a disposition agreement that is incorporated into the Agency's transfer of its ownership interest to another.

3. Purchase Price

The purchase price shall not exceed the fair market value of the property, unless the Agency determines in writing that there is no reasonable alternative to the proposed above market price acquisition that would achieve the same redevelopment purpose. That determination may be premised on: (a) a description of the urban renewal program to be effectuated by the acquisition; (b) a reasonable statement of the kind and amount of the public benefit to be derived from the urban renewal program, including a description of jobs to be created or preserved or the number of affordable housing units to be constructed; and (c) such other factors that may have a bearing on the weighing the public redevelopment benefits to be derived from the acquisition as compared to the property's fair market value.

4. Board Approval

Acquisitions shall be approved by a majority vote of the Agency Board prior to conveyance of title except as otherwise provided for herein. The acquisition of real property undertaken to meet the requirements of a grant or other project agreement previously approved by the Board shall not require another approval by the Board. The authority to approve an acquisition for which the total cost does not exceed \$20,000 is hereby delegated to the Agency Secretary, unless the Board shall select an Acquisition Committee from its members and delegate the Committee to assume that authority. Acquisitions that are within the authority of the Acquisition Committee must be approved by a unanimous vote of the Committee.

5. Property Management

As part of the acquisition of a property, the Board shall ensure that maintenance responsibilities will be addressed through an agreement between the Agency and the City of Rochester, or by another method. Management responsibilities may include, but not be limited to any of the following:

- Payment of all charges attributable to the property during the holding period, including property taxes, assessment charges, water and refuse charges, and utility expenses;
- Grass cutting, debris removal, tree maintenance, and snow removal;
- Structural maintenance and/or repair necessary to protect the investment of the Agency, secure a structure or land against unauthorized entry or correct an immediate threat to health and/or safety;
- Repairs to comply with codes or improve marketability;
- Legal costs including potential evictions, leases, tenant or prior owner workouts, clearing of title, representation for acquisition, representation for disposition, and any other legal costs to be incurred by the Agency during its holding period;
- Marketing costs;
- Appraisal services; and
- Environmental costs required prior to disposing of the property, including but not limited to asbestos removal, lead paint remediation, removal and disposal of hazardous substances.

6. Tax exemption

Property so acquired by the Agency, or by a municipality on behalf of the Agency, shall be exempt from taxation until sold, leased for a term not exceeding ninety-nine years or otherwise disposed of in accordance with the provisions of the Urban Renewal Law and Urban Renewal Agency Act; provided, however, that the Agency, upon the majority vote of its Board, shall have the authority to pay an annual sum in lieu of taxes in order to prevent the affected taxing jurisdiction from suffering an inequitable loss of revenue, all as provided in NYS General Municipal Law § 555(1)(b).

7. Authorized Signatory

The Board delegates to the Agency Secretary the authority to enter into and execute contracts, instruments of conveyance and all other related documents pertaining to the conveyance of real property to the Agency. The Secretary or, in the absence of the Secretary, the Secretary's authorized designee, has the authority to carry out the directives of the Board with regard to the acquisition of property. All contracts shall be executed in the name of the Agency.

8. Operational and Financial Capacity

The Agency shall not acquire real property unless it has operational and financial capacity to complete the requirements of the transaction.

9. Title

All real property must be conveyed to the Agency with insurable title, free of outstanding liens or encumbrances, including taxes, special assessments, water and refuse bills, and any other charges assessed by the City of Rochester and County of Monroe subject to such exceptions as specifically authorized by the Board. In no event shall property be acquired where outstanding liens and/or encumbrances exceed the fair market value.

10. Boundaries

The Agency may grant and accept easements to resolve boundary line title tissues, including building encroachments between adjoining parcels and fence encroachments. The Secretary may authorize boundary line agreements and driveway agreements with the owners of parcels adjacent to Agency-owned parcels, without conveyance of ownership. Consideration for said easements and agreements may be set at \$1 (payment waived).

11. Acknowledgment of Donated Property

The Agency will not determine the value of donated property for the purpose of tax benefits, but will provide a letter describing the property donated.

12. Inventory List

Within one week of the acquisition of any parcel of real property, the Agency shall add the property to the property inventory list that is published annually as required by NYS Public Authorities Law §§ 2800(2)(a)(7) and 2896(3)(a). The list shall include the following details regarding every parcel of real property so acquired: 1) the location, 2) the purchase price, and 3) the name of the seller.

13. Exceptions to Policy

Any exception to this Policy shall require approval by the majority vote of the Board.

14. Effect of Completed Acquisitions

This Policy is intended for the guidance of the officers, members and employees of the Agency only. Nothing contained herein is intended or shall be construed to alter, affect the validity of, modify the terms of or impair any contract or agreement made or entered into in violation of, or without compliance with, this Policy. Any deed, bill of sale, lease, or other instrument executed by or on behalf of the Agency purporting to transfer title or any other interest in Property shall be conclusive evidence of compliance with this Policy insofar as concerns title or other interest of conveyed to the Agency after it has given valuable consideration for such title or other interest and has not received actual or constructive notice of lack of compliance with this Policy prior to the closing.

15. Transparency

This Policy shall be posted on the Agency's website.

Section 2. This resolution shall take effect immediately.

URA - 7

Resolution No. URA-

Resolution adopting Property Disposition Guidelines

BE IT RESOLVED, by the Rochester Urban Renewal Agency as follows:

Section 1. The Rochester Urban Renewal Agency hereby adopts the following Property Disposition Guidelines:

**ROCHESTER URBAN RENEWAL AGENCY
PROPERTY DISPOSITION GUIDELINES**

The Rochester Urban Renewal Agency ("Agency") is required by Title 5-A, Section 2896 of the New York Public Authorities Law to adopt by resolution comprehensive guidelines regarding the use, awarding, monitoring and reporting of contracts for the disposal of Property (the "Guidelines").

Pursuant to the requirements of the New York Public Authorities Law, the Agency adopts the following Guidelines that will apply to the use, awarding, monitoring and reporting of all Property Disposition Contracts that are entered into by the Agency.

**ARTICLE I
DEFINITIONS**

For purposes of the Guidelines, unless a different meaning is required by the context:

1. "Officer or employee" shall mean any person elected, appointed or hired to serve the Agency in any capacity, whether paid or unpaid, for a term fixed or not fixed, on a part-time or seasonal basis, or serving the Agency *ex officio* as an elected or appointed official or employee of the City of Rochester. Officer includes the Agency Secretary ("Secretary"), any member of the Agency board ("Board"), and any other designated officer or employee.
2. "Contracting Officer" shall mean the Agency officer of employee responsible for the disposition of Property.
3. "Dispose" or "disposal" or "disposition" shall mean transfer of title or any other beneficial interest in personal or real property from the Agency to any unrelated third party.
4. "Property" shall mean personal property in excess of Five Thousand Dollars (\$5,000.00) in value, real property, and any other legally transferable interest in such property, to the extent that such interest may be conveyed to another person for any purpose, excluding an interest conveyed to secure a loan or other financial obligation of another party.
5. "Property Disposition Contracts" shall mean written agreements for the sale, lease, transfer or other disposition of Property from the Agency to any unrelated third party.
6. "Real Property" shall mean real property and interests therein.

**ARTICLE II
APPOINTMENT AND DUTIES IF CONTRACTING OFFICER**

A. APPOINTMENT

The Contracting Officer shall be the Agency Secretary, a person appointed by the Secretary to perform the function, or an Agency officer or employee appointed by Members of the Agency Board. The Contracting Officer shall be responsible for the supervision and direction over the custody, control and disposition of Property and responsible for the Agency's compliance with and enforcement of these Guidelines.

B. DUTIES

The duties of the Contracting Officer shall include the following:

1. Maintaining adequate inventory controls and accountability systems for all Property under the Agency's control.
2. Periodically conducting an inventory of Property to determine which Property may be disposed of.
3. Keeping an inventory and preparing an annual written report of all Property in accordance with NYS Public Authorities Law §§ 2800(2)(a)(7) and 2896(3)(a). Each report shall include a listing of all Real Property held by the Agency, a full description of all real and personal property disposed of during the reporting period, the price received and the name of the purchaser for all such Property sold.
4. Disposing of Property as promptly as possible in accordance with these guidelines as directed by the Agency.

**ARTICLE III
PROPERTY DISPOSITION REQUIREMENTS**

A. METHOD OF DISPOSITION

Subject to such exceptions and/or requirements set forth in these Guidelines, in the event that the Agency determines to dispose of any of its Property, it shall endeavor to dispose of such Property for at least the fair market value of the Property, except for circumstances wherein a below fair market value disposition is determined to be appropriate to effectuate the purposes of an urban renewal program in accordance with the State Urban Renewal Law and State Urban Renewal Agency Act at NYS General Municipal Law §§ 507(2) and 556(2). The disposition of Property may be made by sale, exchange, or transfer, for cash, credit or other Property, with or without warranty, and upon such terms and conditions as are determined by the Agency to be appropriate and reasonable and consistent with these Guidelines.

B. AWARD AND APPROVAL OF PROPERTY DISPOSITION CONTRACTS**1. COMPLIANCE WITH GUIDELINES; APPROVAL REQUIREMENTS**

All dispositions of Property shall be conducted in accordance with these Guidelines by or under the supervision of the Contracting Officer. Any proposed dispositions of Property subject to these Guidelines shall be presented to the Board or, if so established, the duly designated Board committee, for consideration. If approved by a duly designated committee of Board, the matter shall be submitted to the full Board for approval or other appropriate action.

2. DISPOSITION BY PUBLIC BID

- (a) All Property Disposition Contracts shall be made only after publicly advertising for bids, unless the criteria set forth in Article III (B)(3) below has been satisfied for such contracts to be made by negotiation or public auction.
- (b) Whenever public advertising for bids is required, (i) the advertisement for bids shall be made at such time prior to the disposal or contract through such methods, and on such terms and conditions, as shall permit full and free competition consistent with the value and nature of the Property; (ii) all bids shall be publicly disclosed at the time and place stated in the advertisement; and (iii) the award shall be made with reasonable promptness by notice to the responsible bidder whose bid conforming to the invitation for bids, will be most advantageous to the Agency, price and other factors considered.
- (c) Any public bid for the disposition of Property may be rejected, refused, or declined by the Agency or the Contracting Officer on any basis or grounds allowable at law.

3. DISPOSITION BY NEGOTIATED SALE/PUBLIC AUCTION

The following dispositions are exempt and excepted from the public bidding requirements set forth above in Article III (B)2 (Disposition by Public Bid), and may be consummated through a negotiated sale or by public auction:

- (a) Disposition for a public purpose: the Agency may dispose of Property for less than fair market value of the Property where the disposition of such Property is intended to further the public health, safety or welfare or an economic development interest of New York State or a political subdivision thereof (hereinafter, a "Public Purpose"). Such Public Purpose may include but shall not be limited to:
 - (i) the furtherance of an urban renewal plan approved for or related to the Property in accordance with the State Urban Renewal Law and State Urban Renewal Agency Act at NYS General Municipal Law §§ 507(2) and 556(2);
 - (ii) the furtherance of applicable or governing zoning plans, comprehensive plans, or regional plans related to the Property;
 - (iii) the creation or retention of a substantial number of job opportunities, or the creation or retention of a substantial source of revenues;
 - (iv) the prevention or remediation of a significant threat to the environment or public health or safety; or
 - (v) such other Public Purpose as may be documented in writing and approved by resolution of the Board.
- (b) Disposition of certain Personal Property: The Agency may dispose of personal property where such personal property is of a nature and quantity which, if it were to be disposed of through public advertisement and bidding, would adversely affect the state or local market for such personal property.
- (c) Disposition of Low FMV property: The Agency may dispose of Property, the fair market

value of which does not exceed Fifteen thousand Dollars (\$15,000).

- (d) Disposition Following Receipt of Unacceptable Bid Prices: The Agency may dispose of Property where the bid prices that it receives after public advertising are not commercially reasonable (either as to all or some part of the Property).
- (e) Disposition to New York State: The Agency may dispose of Property to New York State or any political subdivision of New York State.
- (f) Disposition Authorized by Law: The Agency may dispose of Property where such disposition is otherwise authorized by Law including to public benefit corporations and not-for-profit economic development corporations.

4. Reporting Requirements Regarding Negotiated Dispositions

- (a) Preparation of Written Statements: In accordance with NYS Public Authorities Law §2897(6)(d), the Contracting Officer shall prepare a written statement explaining the circumstances of each negotiated disposition of Property pursuant to Article III (B)(3) involving any of the following:
 - (i) the negotiated disposition of personal property which has an estimated fair market value in excess of Fifteen Thousand Dollars (\$15,000.00);
 - (ii) the negotiated disposition of Real Property that has an estimated fair market value in excess of One Hundred Thousand Dollars (\$100,000.00) except that any real property disposed of by lease or exchange;
 - (iii) any Real Property disposed of by lease, if the estimated annual rent over the term of the lease is in excess of Fifteen Thousand Dollars (\$15,000.00); or
 - (iv) any Real Property or real and related personal property disposed of by exchange, regardless of value, or any property any part of the consideration for which is Real Property.

The written statement shall include: a description of the parties involved in the transaction; a justification for disposing of the property by negotiation; a description of the property, including its location and size; the estimated fair market value of the property; the proposed sale price of the property; and the expected date of sale.

- (b) Submission of written statements. Written statements prepared pursuant to this Section Article III (B)(4) shall be submitted to the New York State Comptroller, the Director of the Budget, the Commissioner of General Services, and the State Legislature not less than ninety (90) days prior to the date on which the disposition of Property is expected to take place. The Contracting Officer shall maintain a copy of all written statements at the Agency's principal office.

**ARTICLE IV
GENERAL PROVISIONS**

A. SUBMISSION AND PUBLICATION OF GUIDELINES

The Agency shall file with the New York State Comptroller's Authorities Budget Office a copy of

the most recently reviewed and adopted Guidelines and shall post the Guidelines on the Agency's website.

B. EFFECT OF COMPLETED PROPERTY DISPOSITION CONTRACTS

These Guidelines are intended for the guidance of the officers, members and employees of the Agency only. Nothing contained herein is intended or shall be construed to alter, affect the validity of, modify the terms of or impair any contract or agreement made or entered into in violation of, or without compliance with, these Guidelines. Any deed, bill of sale, lease, or other instrument executed by or on behalf of the Agency purporting to transfer title or any other interest in Property shall be conclusive evidence of compliance with NYS Public Authorities Law § 2897 and these Guidelines insofar as concerns title or other interest of any bona fide grantee or transferee who has given valuable consideration for such title or other interest and has not received actual or constructive notice of lack of compliance with these Guidelines prior to the closing.

Section 2. This resolution shall take effect immediately.

INTRODUCTORY NO.

URA - 8

Resolution No. URA-

Resolution adopting a Procurement Policy

BE IT RESOLVED, by the Rochester Urban Renewal Agency as follows:

Section 1. The Rochester Urban Renewal Agency hereby adopts the following Procurement Policy:

A. Purpose. This Procurement Policy ("Policy") shall apply to the procurement of goods and services paid for by the Rochester Urban Renewal Agency ("Agency") for its own use and account. The primary objectives of this Policy are to assure the prudent and economical use of public monies in the best interests of the Agency, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud, and corruption.

B. Definitions. When used for the Program, the following words and phrases shall have the following meanings:

(1) **MINORITY-OWNED BUSINESS ENTERPRISE (MBE)** — A for-profit business concern that is certified by New York State as an MBE.

(2) **WOMEN-OWNED BUSINESS ENTERPRISE (WBE)** — A for-profit business concern that is certified by New York State as a WBE.

(3) **DISADVANTAGED BUSINESS ENTERPRISE (DBE)** — A for-profit business concern that is certified by the New York State Department of Transportation as a DBE.

(4) **ETHICS OFFICER** — The Corporation Counsel of the City of Rochester unless and until the Governance Committee of the Agency Board appoints another person to the position or designates said Committee itself for the position.

C. Procurement Procedures.

(1) **Up to \$5,000 per instance.** A contract may be awarded in the discretion of the Agency Secretary or, in their absence, the authorized designee of the Secretary.

(2) **Greater than \$5,000 to \$10,000 per instance.** Upon receipt of documented oral quotations or written/fax/email quotations from at least three (3) vendors, a contract may be awarded in the discretion of the Agency Secretary, or, in their absence, the authorized designee of the Secretary.

(3) **Greater than \$10,000 per instance.** Upon receipt of documented oral quotations or written/fax/email quotations from at least three (3) vendors, a contract may be awarded to the lowest responsible bidder in the opinion of the Board.

(4) **Greater than \$15,000 estimated annualized expenditure.** Conduct solicitation in accordance with NYS Procurement Lobbying Act restrictions on contacts

and lobbying rules pursuant to Section 139-j of the NYS State Finance Law (the "Anti-Lobbying Rule"), including but not limited to:

(a) Notifying prospective bidders of the Anti-Lobbying Rule's restrictions on contacts with the Agency during the solicitation and bidding process, identifying the Secretary (or another contact person with knowledge of the procurement who is designated by the Secretary) as the sole Agency official authorized to be contacted during the bidding process, and requiring bids to be accompanied by a written statement acknowledging to committing to abide by such restrictions;

(b) Requiring the Secretary or other designated contact to develop and keep in the Agency's procurement file a detailed record of each contact with a bidder regarding procurement.

(c) Inquiring about and factoring into the review process whether a bidder is a Non-Responsible Offeror. A finding by the Agency or some other governmental agency or public authority that a bidder has knowingly and willfully violated the Anti-Lobbying Rule shall result in a determination of non-responsibility for such bidder and its subsidiaries, and any related or successor entity with substantially similar function, management, board of directors, officers and shareholders (hereinafter, for the purposes of this paragraph "Non-Responsible Offeror"). A procurement contract shall not be awarded to a Non-Responsible Offeror, unless the Secretary or other designated contact person finds, and confirms such finding in writing, that the award of the procurement contract to such Offeror is necessary to protect public property or public health or safety, and that the Offeror is the only source capable of supplying the required article of procurement within the necessary timeframe.

The Ethics Officer shall be responsible for reviewing and investigating allegations of impermissible contact during a procurement that is subject to the Anti-Lobbying Rule, and to impose sanctions in instances where violations have occurred in accordance with Section 139-j(9) of the State Finance Law. The Ethics Officer shall file and retain in the Agency's procurement file a record of each improper contact or other violation of the Anti-Lobbying Rule.

(5) **Summary of procurement rules.** A summary of the Agency's applicable procurement policies and prohibitions shall be incorporated into every solicitation of proposals, bid documents, or specifications for procurement contracts.

(6) **Non-collusion certification.** Every bid or proposal submitted to the Agency as part of a competitive bidding process shall contain a certification that there has been no unlawful collusion involved in accordance with Section 2878 of the NYS Public Authorities Law.

(7) **Exceptions.** Bids or quotations shall not be required for the purchase of commodities, equipment, goods or construction, demolition, renovation, and reconstruction services made through:

(a) **New York State, Monroe County, or City of Rochester Contracts.** When the Agency is able to procure commodities, equipment, goods or services through New York State, Monroe County, or City of Rochester contracts, it shall be unnecessary to obtain bids or quotations.

(b) **Emergency Procurements.** In the event of an emergency, it shall be unnecessary to obtain bids or quotations. An emergency shall be deemed to exist if the delay caused by soliciting quotes would endanger health, welfare, or property. Approval by the Secretary or, in the absence of the Secretary, the Secretary's authorized designee, shall be necessary, accompanied by a written description of the facts establishing the emergency.

(c) **Sole Source Procurements.** In the event of a sole source supplier, it shall be unnecessary to obtain bids or quotations. A "sole source" means a situation where (i) there is only one possible source from which to procure the specified goods and/or services, (ii) no other goods and/or services provide substantially equivalent or similar benefits, and (iii) considering the benefits, the cost to the Agency is reasonable.

(d) **Utilities and Affiliate Transactions.** The purchase of utilities and inter-affiliate transactions are excepted from proposal/quotation requirements.

(e) **Unavailability of three (3) vendors.** It shall be unnecessary to obtain bids or quotations in the event of the unavailability of three (3) vendors who are able or willing to provide a quote. In such circumstances, bids or quotations from two (2) vendors will suffice when they can be obtained or a bid or quotation from one (1) vendor will suffice when only one can be obtained.

(8) **Basis for the Award of Contracts.** The Agency may reject all bids. The Agency may reject any bid, if, in the judgment of the Secretary, the business and technical organization, plant, resources, financial standing, or experience of the bidder justifies such rejection in view of the work to be performed. In making any such determination, the relevant factors considered shall include, without limitation:

- (a) Delivery requirements;
- (b) Quality requirements;
- (c) Quantity requirements;
- (d) Past vendor performance and/or experience; or
- (e) Disqualification of Non-Responsible Offeror pursuant to Section C.4.c, above.

(9) **Documentation.**

(a) A record of all solicitations for proposals or quotations, the response (if applicable), and any determinations pursuant thereto shall be maintained in

the Agency's procurement file.

(b) For each procurement by the Agency, the Secretary (or, in the absence of the Secretary, the Secretary's authorized designee) shall set forth in writing the category of procurement that is being used and the basis for the award.

(c) Whenever an award is made to other than the lowest responsible bidder the reasons for so doing shall be set forth in writing and maintained in the procurement file for at least six (6) years.

(d) Whenever the specified number of quotations cannot be secured, the efforts to obtain quotations shall be documented and maintained in the procurement file.

D. PROFESSIONAL SERVICES. Professional Services shall mean services which require special education and/or training; involve specialized expertise; or are licensed, including, without limitation, legal services, accounting services, brokerage services, appraisal services, and engineering services. Professional Service contracts often involve a relationship of personal trust and confidence.

(1) In the selection of a provider of Professional Services up to \$20,000 per instance, the provider may be selected by the Secretary or, in the Secretary's absence, the Secretary's authorized designee.

(2) In the selection of a provider of Professional Services for a contract which exceeds \$20,000 the Agency shall issue a Request for Proposals. The Board, or a committee of its members, may exercise its discretion and apply its judgment regarding any aspect of the Request for Proposals, the evaluation of proposals received, and the negotiation and awarding of any contract resulting from the Request for Proposals.

(3) The Agency may contract for only portions, or not enter into an agreement for any, of the Professional Services contemplated by the proposals solicited under this Policy. The Agency may select the proposal that best satisfies its interests without exclusively relying on price or any other single factor. The Agency may use such criteria in the selection of a provider of Professional Services as it deems most appropriate.

E. EFFECT OF OTHER PROCUREMENT REQUIREMENTS. Where the procurement of a specific good or service is accomplished using funds other than the funds of the Agency and such funding sources specify different or more restrictive procurement requirements than are provided for in this Policy, the procurement requirements of the funding source shall supersede the requirements of this Policy.

F. UNINTENTIONAL FAILURE TO COMPLY. The unintentional failure to comply with this Policy shall not be grounds to void any contract nor shall the same be the basis of any cause of action against the Land Bank or any officer thereof.

G. WOMEN, DISADVANTAGED AND MINORITY-OWNED BUSINESSES. The Agency shall use its best efforts to afford Women-Owned Business Enterprises, Disadvantaged Business Enterprises, and Minority-Owned Business Enterprises the maximum practicable opportunity to

participate in the performance of this purchasing and procurement program of the Agency. If performance of a particular procurement contract will require the use of subcontractors, the Agency shall consider requiring the contractor to act affirmatively to secure such participation by Women-Owned Business Enterprises, Disadvantaged Business Enterprises, and Minority-Owned Business Enterprises and report such efforts to the Agency.

Section 2. This resolution shall take effect immediately.

URA - 9

Resolution No. URA-

Resolution adopting an Investment and Deposit Policy

BE IT RESOLVED, by the Rochester Urban Renewal Agency as follows:

Section 1. The Rochester Urban Renewal Agency hereby adopts the following Investment and Deposit Policy:

I. INVESTMENT AND DEPOSIT POLICY**A. Introduction.**

1. *Scope* – This investment and deposit policy applies to all monies and other financial resources available for investment and deposit by the Rochester Urban Renewal Agency (“the Agency”) on its own behalf.
2. *Objectives* – The primary objectives of the Agency’s investment activities are, in priority order:
 - a. to conform to all federal, state and other legal requirements (legal);
 - b. to adequately safeguard principal (safety);
 - c. to provide sufficient liquidity to meet all operating requirements (liquidity); **and**
 - d. to obtain a reasonable rate of return (yield).
3. *Prudence* – All participants in the investment process and all participants responsible for depositing the Agency’s funds shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair confidence in the Agency.

Investments and deposits shall be made with judgement and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal and the probable income to be derived.

All participants involved in the investment process and all participants responsible for depositing the Agency’s funds shall refrain from personal business activity that could conflict with proper execution of the investment program or the deposit of the Agency’s funds or which could impair their ability to make impartial investment decisions.

4. *Diversification* – It is the policy of the Agency to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.
5. *Internal Controls*
 - a. All monies collected by an officer or employee of the Agency shall be immediately deposited in such depositories as designated by the Agency for the receipt of such funds.
 - b. The Agency shall maintain or cause to be maintained a proper record of all book, notes, securities or other evidences of indebtedness held by the Agency for investment and deposit purposes.
 - c. The shall establish and maintain an internal control structure to provide reasonable, but not absolute, assurance that: (i) deposits and investments are safeguarded against loss from unauthorized use or disposition, (ii) transactions are executed under management's authorization and recorded properly and (iii) all deposits, investments and transactions are managed in compliance with applicable laws and regulations.
6. *Designation of Depositories* – The Agency shall designate as depositories of its money those banks and trust companies authorized to serve as such under applicable law.

B. Investment Policy.

1. *Permitted Investments* – Pursuant to Section 2925 of the NYS Public Authorities Law), the Agency may invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following investments and subject to the conditions indicated by the asterisks:
 - a. Special time deposit accounts;*
 - b. Certificates of deposit;*
 - c. Obligations of the United States of America;**
 - d. Obligations guaranteed by agencies of the United States of America where payment of principal and interest are guaranteed by the United States of America;**
 - e. Obligations of the State of New York;*

* Special time deposit accounts and certificates of deposit are permitted investments provided that (1) they shall be payable within such time as the proceeds shall be needed to meet expenditures for which the monies were obtained, and (2) they are collateralized as set forth in Section C below for deposits of public funds.

** All investment obligations shall be payable or redeemable at the option of the Agency within such times as the proceeds will be needed to meet expenditures for purposes for which monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Agency within two years of purchase.

2. *Authorized Financial Institutions and Dealers* – The Agency shall maintain a list of financial institutions and dealers, approved for investment and establish appropriate limits to the investments which can be made with each financial institution or dealer. All financial institutions with which the Agency conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Agency. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Executive Director or Treasurer shall evaluate the financial position and maintain a list of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.
3. *Purchase of Investments* – The Agency may contract for the purchase of investments:
 - a. Directly, including through a repurchase agreement, from an authorized trading partner.
 - b. By participation in a cooperative investment program with the City of Rochester, overseen by the City's Director of Finance.
 - c. By utilizing an ongoing investment program with an authorized trading partner under a contract authorized by the Agency Board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only under prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Agency by the bank or trust company.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Agency, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the Agency a perfected interest in the securities.

4. *Repurchase Agreements* – Repurchase agreements are authorized subject to the following restrictions:
 - a. All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
 - b. Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
 - c. Obligations shall be limited to obligation of the United States of America and obligations guaranteed by agencies of the United States of America.
 - d. No substitution of securities will be allowed.

- e. The custodian shall be a party other than the trading partner.

C. Deposit Policy.

1. *Collateralization of Deposits* – All deposits of the Agency, including certificates of deposit and special time deposits, over the amount insured under the Federal Deposit Insurance Act shall be secured by one of the following means:
 - a. By an eligible “irrevocable letter of credit” issued by a qualified bank other than the bank with the deposits in favor of the Agency for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank in compliance with applicable federal minimum risk-based capital requirements.
 - b. By an eligible surety bond payable to the Agency for an amount at least equal to 100% of the aggregate deposits and the agreed upon interest executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.
 - c. By another means determined to be prudent and consistent with sound governmental practice by the City Director of Finance.
2. *Safekeeping and Collateralization* – Eligible securities used for collateralizing deposits shall be held by the depository bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure the Agency deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. If the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Agency or its bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the Agency, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Agency a perfected interest in the securities.

Section 2. This resolution shall take effect immediately.



President Miguel A. Meléndez, Jr.; Vice President LaShay D. Harris; Councilmembers Mitch Gruber;
Willie J. Lightfoot, Sr.; Mary Lupien; Stanley Martin; Bridget A. Monroe; Michael A. Patterson; and Kim Smith



TO THE COUNCIL

June 4, 2024

Ladies and Gentlemen:

Re: Good Cause Eviction

Council Priority: Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing
Strong Neighborhoods

Transmitted herewith for your approval is a local law that opts the City of Rochester into New York State's new Good Cause Eviction Law (the Law), which was enacted on April 20th. The Law, subject to certain exemptions described below, prohibits landlords from taking any action to evict or to fail to renew a lease for rental housing unless the landlord can demonstrate "good cause" for doing so. The Law also indirectly limits rent increases by denying non-payment of rent as a good cause basis for eviction if part of the unpaid rent is due to an unreasonable increase in rent. These good cause eviction (GCE) rules will go into effect as soon as the local law is enacted and filed with the NYS Secretary of State.

In another part that will not go into effect until August 18, 2024, the Law also requires landlords to provide to their tenants a very detailed written notice of the tenant's rights under GCE at the signing of a lease, at the renewal of a lease, when increasing the rent and when seeking to evict. Unlike the GCE provisions of the Law, this notification requirement will apply to leases that are subject to GCE as well as those that are exempt.

The Law requires localities seeking to opt in to Good Cause Eviction to adopt all of the Law's provisions with only two exceptions relating to the "small landlord" and high-rent exemptions listed below. Nevertheless, we propose to adopt the standards suggested by the State for these two exemption categories (i.e. maximum of 10 units owned by the small landlord and high-rent exemption for rents exceeding 245% of local fair market value).

Rentals that are Exempt from Good Cause Eviction

The following residential rental arrangements are exempt from the Law's good cause eviction requirements:

- units owned by a "small" landlord who owns no more than 10 rental units in New York State;
- units exceeding 245% of the fair market rent for Monroe County;
- buildings for which a certificate of occupancy was issued on or after January 1, 2009;
- units already subject to rent regulation pursuant to local, state, or federal law, rule, or regulation;
- owner-occupied buildings containing 10 or fewer units;
- manufactured homes located in manufactured home parks;
- units occupied as an incident to the tenant's job that is being lawfully terminated;
- hotel rooms and other transient uses; and
- religious facilities or institutions; seasonal use units; units within hospitals; and dormitories.

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The facilities exempt from GCE are not exempt from the Law's enhanced notice and disclosure requirements described below. Moreover, the tenants of GCE-exempt units are still entitled to the rights and remedies that tenants already possess under preexisting provisions of the State Real Property Law, the State Real Property and Actions Law and other pertinent federal, state and local laws and ordinances.

Good Cause Evictions

The Law limits good cause to the following set of narrowly defined circumstances.

Non-payment of rent, provided that all or part of the unpaid rent did not result from an unreasonable rent increase as described below.

Violation of a substantial obligation of the lease, provided that the obligation is reasonable and has not been imposed for purposes of circumventing the Law, and the tenant has failed to cure the violation within ten day of receiving written notice.

Nuisance in the unit or on the property committed or allowed by the tenant.

Substantial damage to the unit or on the property committed or allowed by tenant out of malice or gross negligence.

Interference with the comfort and safety of the landlord or other tenants or occupants of the same or another adjacent building or structure committed or allowed by the tenant.

Occupancy violates or causes a violation of law that subjects the landlord to civil or criminal penalties and that has prompted a legal order for the tenant to vacate, provided that a court finds that the cure of the violation requires removing the tenant and that the landlord did not deliberately or negligently create the condition that necessitated the order to vacate.

Use of the unit or property for an illegal purpose committed or allowed by the tenant.

Unreasonably refusing landlord access for the purpose of making necessary repairs or improvements required by law or for the purpose of showing the housing accommodation to a prospective purchaser, mortgagee or other person having a legitimate interest therein.

Recovering possession of the unit for the personal use and principal residence of the landlord or their family member or domestic partner, provided that there is no suitable housing accommodation available elsewhere in the building. No judgment in favor of the landlord on this basis may be granted unless the landlord establishes good faith for asserting this justification by clear and convincing evidence. This good cause justification cannot be invoked to vacate a tenant who is 65 years or older or who is a disabled person.

Demolition or withdrawal of the unit from the housing market, provided that no judgment in favor of the landlord on these bases may be granted unless the landlord establishes good faith for asserting this justification by clear and convincing evidence.

Tenant refusal to agree to reasonable changes or reasonable rent increase that are proposed at lease renewal and at least 30 to 90 days in advance, depending on how long the tenant has occupied the premises. A reasonable rent increase is one that is equal to or less than the threshold for an unreasonable increase as described below

Unreasonable rent increase

The determination of what constitutes an unreasonable increase in rent starts out with the presumption of unreasonableness for any increase that exceeds the lesser of either 10% or the annual increase in the urban Consumer Price Index for the Northeast Region of the U.S. plus 5%. However, the landlord may rebut that presumption with relevant facts such as the costs of fuel, utilities, insurance, and maintenance; property tax expenses; and the cost of significant repairs to the property that were not the result of landlord's prior failure to properly maintain the property.

Detailed Notice and Disclosure

The Law adds specific disclosures to be included in notices given to tenants at the time of entry into a lease, lease renewal or non-renewal, upon a demand for rent payment, or upon commencement of an eviction proceeding. The notice and disclosure requirements apply to rental premises that are subject to the Law's new GCE rules **and** to those that are not.

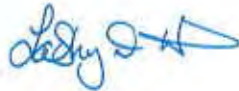
On the occasions described above, the landlord is required to fill out a disclosure form set forth in the Law itself. The form requires the landlord to disclose:

- whether the lease is subject to the Law's new good cause eviction (GCE) rules;
- if the lease is not subject to GCE, check which of the Law's GCE exemption clauses applies and notify the tenant that "[e]ven if your apartment is not protected by the... New York State Good Cause Eviction Law, you may have other rights under other local, state, or federal laws and regulations concerning rents and evictions";
- for increasing the rent for a GCE lease, whether the increase exceeds the presumptively unreasonable increase threshold and, if so, the landlord's cost justifications for doing so; and
- for GCE leases that will not be renewed, check which of the list of GCE justifications apply.

Respectfully Submitted,



Miguel A. Meléndez, Jr., President
At-Large



LaShay D. Harris, Vice President
South District



Mitch Gruber
At-Large



Willie J. Lightfoot, Sr.
At-Large



Mary Lupien
East District



Stanley Martin
At-Large



Bridget A. Monroe
Northwest District



Michael A. Patterson
Northeast District



Kim Smith
At-Large

INTRODUCTORY NO.

251

Local Law No.

Local law amending the City Charter to adopt a Good Cause Eviction Law

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

Section 1. Chapter 755 of the Laws of 1907, entitled "An Act Constituting the Charter of the City of Rochester", as amended, is hereby further amended by adding to the end of Article X, Department of Neighborhood and Business Development, the following new section:

§ 10-13. Good Cause Eviction Law.

The Good Cause Eviction Law enacted in Part HH of Chapter 56 of the 2024 Laws of New York (the "State Law") is hereby adopted by local law to apply in the City of Rochester.

- A. The Good Cause Eviction Law for the City of Rochester shall include the following enactments of the State Law:
1. adding Article 6-A, §§ 211-218, to the Real Property Law (Section 1)
 2. amending § 226-c of the Real Property Law (Section 2);
 3. adding a new § 231-c to the Real Property Law (Section 3);
 4. amending § 711 of the Real Property Actions and Proceedings Law (Section 4);
 5. amending § 741 of the Real Property Actions and Proceedings Law (Section 5); and
 6. declaring the severability of the enactments in the event that any provision or application thereof is held to be invalid (Section 6).
- B. In accordance with Real Property Law §213, Voluntary participation by local government outside the City of New York, as enacted in Section 1 of the State Law:
1. Two hundred forty-five percent (245%) is hereby adopted as the percentage of local fair market rent at which, if exceeded, a housing accommodation unit shall be exempt from the good cause eviction restrictions in Article 6-A of the Real Property Law;
 2. Ten (10) is hereby adopted as the maximum number of housing accommodation units owned in New York State by a "small landlord" exempted from the good cause eviction restrictions in Article 6-A of the Real Property Law.
- C. This Law shall expire and be deemed repealed on June 15, 2034.

Section 2. This local law shall take effect upon its filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law, with the exception § 10-13 clauses A.2, A.3, A.4, and A.5, which shall take effect upon the latter of a) the filing of this local law in the Office of the Secretary of State, or b) August 18, 2024.



**City of Rochester
Rochester City Council**

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

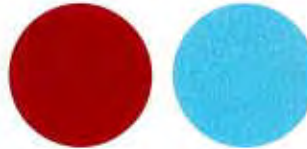
**PUBLIC SAFETY
COMMITTEE
INTRODUCTORY NO.
252**

Miguel A. Meléndez, Jr., Council President, Councilmember-At-Large

June 5, 2024

TO THE COUNCIL

Ladies and Gentlemen:



Re: Amendatory legal services agreement

Council Priority: Public Safety

Legal Services for the Police
Accountability Board

Transmitted herewith for your approval is legislation for an amendatory professional services agreement with Brown Hutchinson, LLP to provide additional legal services to the Police Accountability Board (PAB).

The agreement shall amend the existing legal services agreement that commenced on September 11, 2023 to extend the term by one year and to increase the maximum compensation by \$40,000 to a new total of \$60,000.

The amendatory compensation will be funded from the PAB allocation of the 2023-24 Budget of the City Council & Clerk Budget.

The original No RFP Justification Statement is attached.

Respectfully submitted,

Miguel A. Meléndez, Jr.
President

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NO RFP 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 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.

Department: Police Accountability Board

Services(s): Legal

Vendor/Consultant selected: T Andrew Brown, Esq., Brown Hutchinson LLP, 2 State Street, Rochester, New York 14614.

How was the vendor selected? The PAB Board Chair knew the vendor in a professional capacity.

Why was no RFP issued for this service?

- The vendor has been a member of the NYS Bar Association for 37 years as an attorney, licensed to practice in New York State. The vendor also has unique, specialized experience in municipal law, with particular knowledge about the City of Rochester.
- Due to the multiple legal issues associated with the PAB's operations, legal knowledge and advising is imperative.
- The urgency of this consultant's approval cannot be overstated. Currently the PAB relies on information and evidence received from the Rochester Police Department (RPD) necessary for conducting thorough and impartial investigations. As of mid-July 2023, that flow of information and evidence has ceased. The information requested from RPD will not be provided to the PAB, unless and, until an MOU is signed. The MOU will be a legal document requiring legal advice and expertise.
- This vendor was readily available and has the flexibility of hours. To discontinue this vendor would delay progress in moving investigations forward and further hinder carrying out the mandate of the PAB's mission.
- The service is unique as requiring a NYS licensed attorney, flexible hours and some knowledge of municipal and civil law as well as civilian oversight.
- The Board has an urgent need to receive legal services. An RFP process would delay acquiring the expertise needed.
- The project does not include multi-year State or Federal funding.

Compensation: The proposed agreement with the vendor is for a not-to-exceed amount of \$20,000.00.

How was this determined? The vendor was willing to reduce fees to the amount noted herein. This amount includes any and all related business expenses, e.g. travel, parking, health benefits. Based on the limited number of hours per week the vendor will engage, and the going rate of attorneys this is reasonable.

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

MWBE Officer Initials: SMD Date: 8/24/2023

Signature: Department Head Sherry Walker-Cowart Digitally signed by Sherry Walker-Cowart Date: 2023.08.23 10:31:10 -04'00' Date: _____

INTRODUCTORY NO.

252

June'24
COUNCIL #
Int.

Ordinance No.

Authorizing an amendatory legal services agreement for the Police Accountability Board

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 Brown Hutchinson, LLP to provide additional legal services to the Police Accountability Board (PAB). The amendatory agreement shall amend the existing legal services agreement that commenced on September 11, 2023 to extend the term by one year and to increase the maximum compensation by \$40,000 to a new total of \$60,000. The amendatory compensation shall be funded from the PAB allocation of the 2023-24 Budget of the City Council & Clerk Budget.

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

Section 3. This ordinance shall take effect immediately.



253, 254, 255, 256, 257, 258, 259

June 6, 2024

BUDGET 61

TO THE COUNCIL



Ladies and Gentlemen:

Re: 2024-25 Budget

Council Priority: Deficit Reduction and Long Term
Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering
Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the 2024-25 Budget. This legislation will:

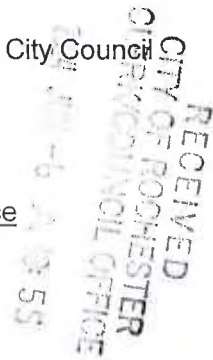
1. Approve appropriations and establish revenue estimates for the City and City School District;
2. Authorize the tax levies required to finance appropriations for the City and City School District;
3. Authorize the budgets and related assessments for the Local Works program;
4. Confirm the assessments required for the following programs:
 - a. Street mall maintenance
 - b. Neighborhood parking lot operation
 - c. Public Market snow removal and security services
 - d. Street lighting and streetscape districts
 - e. Downtown Enhancement District
 - f. South Ave. Alexander St. Streetscape
 - g. Mt. Hope Streetscape
 - h. Upper East Alexander Entertainment-Refuse
 - i. Arnold Park Enhanced Sidewalks Special Assessment District
5. Confirm the addition to the tax roll of various assessments, fees, and unpaid charges; and
6. Authorize certain fee increases and Charter and Code changes.

Details of the above actions related to the 2024-25 proposed budget of the City submitted to City Council on May 10, 2024 are summarized below:

1. Total appropriations of \$1,768,941,143 allocated for the City and the School District:

	<u>Proposed 2024-25</u>	<u>Amended 2023-24</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 697,282,000	\$ 687,929,200	\$ 9,352,800	1.4
School	<u>1,071,659,143*</u>	<u>1,133,850,848*</u>	<u>-62,191,705</u>	-5.5
Total	\$1,768,941,143	\$1,821,780,048	\$-52,838,905	-2.9

* Total appropriations for the Rochester City School District 2024-25 Budget represent all expenditures from the General Fund, Grants and Special Aid, and School Food Service. There are no expenditures represented from the American Rescue Plan (ARP), and the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) program. Total appropriations for the Rochester City School



District 2023-24 Budget includes expenditures from the General Fund, Grants and Special Aid, and School Food Service, as well as funds from American Rescue Plan (ARP), and the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) program.

Total non-tax revenue distributed between the City and the District:

	<u>Proposed 2024-25</u>	<u>Amended 2023-24</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 631,828,783	\$ 622,475,983	\$ 9,352,800	1.5
School	957,918,643	1,020,110,348	-62,191,705	-6.1
Total	\$1,589,747,426	\$1,642,586,331	\$-52,838,905	-3.2

2. Total tax levies of \$187,637,400 for the City and City School District

	<u>Proposed 2024-25</u>	<u>Amended 2023-24</u>	<u>\$ Difference</u>	<u>% Difference</u>
Tax Revenue	\$179,193,717	\$179,193,717	\$ 0	0.00
Tax Reserve	8,443,683	8,443,683	0	0.00
Tax Levy	\$187,637,400	\$187,637,400	\$ 0	0.00

3. Total appropriations for the Local Works fund of \$24,866,300 and total assessments of \$20,685,000

	<u>Proposed 2024-25</u>	<u>Amended 2023-24</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Maintenance	\$ 3,891,496	\$ 3,287,793	\$603,703	18.4
Sidewalk Repair	1,770,585	1,568,436	202,149	12.9
Roadway Plowing	11,933,054	12,306,189	-373,135	-3.0
Sidewalk Plowing	3,089,865	3,526,582	-436,717	-12.4
Total	\$20,685,000	\$20,689,000	-4,000	0.0

4. Program Assessments

On April 24, 2024, the following budgets were approved: street lighting, street malls, and East Avenue/Alexander Street Entertainment District. The budget for the special assessment district parking lots, security and snow removal at the Public Market, Downtown Enhancement District, the Mt. Hope Streetscape, the Cascade Historic Streetscape, the South Avenue/Alexander Street Open Space District, and the Arnold Park Sidewalk Enhancement District were approved on May 21, 2024. The assessments required are as follows:

	<u>Proposed 2024-25</u>	<u>Amended 2023-24</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Malls	\$36,102	\$31,303	\$4,799	15.3
Parking Lots	15,896	70,403	-54,507	-77.4
Public Market	51,320	51,874	-554	-1.1
Lighting and Streetscape	33,180	29,996	3,184	10.6
Downtown Enhancement	758,500	726,800	31,700	4.4
High Falls	0	25,000	-25,000	-100.0
South Ave Alexander Streetscape	8,900	8,900	0	0.0
Mt. Hope Streetscape	20,000	20,000	0	0.0
East/Alexander Entertainment	22,032	22,032	0	0.0
Arnold Park Enhanced Sidewalks	51,985	0	51,985	100.0

5. Proposed additions to the tax roll consist of the following charges:

	<u>Proposed 2024-25</u>	<u>Amended 2023-24</u>	<u>\$ Difference</u>	<u>% Difference</u>
Delinquent Refuse	\$720,134	\$656,899	\$63,235	9.6
Delinquent Water	6,237,401	5,789,349	448,052	7.7
Code Enforcement	185,350	104,955	80,395	76.6
Supplemental and Omitted Taxes	310,237	248,939	61,298	24.6
Local Improvements	0	1,334	-1,334	-100.0
Demolitions	2,038,013	36,552	2,001,461	5,475.7
Encroachments	5,900	5,015	885	17.6
Rehabilitation	104,647	150,929	-46,282	-30.7
Code Violations	2,226,575	1,433,750	792,825	55.3
Emergency Abatement	91,113	52,783	38,330	72.6

6. Fee increases and Charter and Code changes

6A. A rate increase of 3.5% to base rates and consumption rates is proposed to balance the Water Fund. The proposed increase is expected to result in \$1,330,000 incremental revenue.

Respectfully submitted,



Malik D. Evans
Mayor

253

Ordinance No.

Adoption of the Budget estimates for municipal purposes for the 2024-25 fiscal year, appropriation of sums set forth therein and approving commercial refuse fees

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

Section 1. The budget estimate for municipal purposes for the fiscal year July 1, 2024 to June 30, 2025, providing for the expenditure of \$697,282,000, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for municipal purposes for the fiscal year 2024-25 are hereby authorized to be expended and the sum of \$697,282,000 is hereby appropriated for the current expenses of the departments and agencies; cash capital; debt service; and for the other purposes therein, in the manner provided by law, as listed below:

City Council and Clerk	\$7,660,400
Administration	20,122,000
Neighborhood and Business Development	23,285,700
Environmental Services	104,849,600
Finance	12,103,500
Information Technology	10,350,100
Law	3,115,500
Library	13,890,800
Recreation and Human Services	25,963,100
Emergency Communications	18,018,000
Police	110,757,900
Fire	63,655,200
Undistributed Expenses	182,743,600
Contingency	3,527,400
Cash Capital	53,614,900
Debt Service	43,624,300
Sub-total	\$697,282,000
Tax Reserve	3,084,183
Total	\$700,366,183

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes and the School Tax Relief (STAR) funds, for municipal purposes for the fiscal year 2024-25 is hereby fixed and determined at \$631,828,783 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2024-25 providing for raising the sum of \$68,537,400 in taxation on real estate for municipal purposes is hereby adopted.

Section 5. Pursuant to subsection 20-24B(1) of the Municipal Code, the Council hereby approves the fees for collection of commercial refuse and recyclables as proposed by the Mayor for fiscal year 2024-25.

Section 6. This ordinance shall take effect on July 1, 2024.

INTRODUCTORY NO.

254

Ordinance No.

Adoption of the Budget estimates for school purposes for the 2024-25 fiscal year and appropriation of sums set forth therein

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

Section 1. The budget estimate for school purposes for the fiscal year July 1, 2024 to June 30, 2025, providing for the expenditure of \$1,071,659,143, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for school purposes for the fiscal year 2024-25 are hereby authorized to be expended and the sum of \$1,071,659,143 is hereby appropriated by the Board of Education for the following purposes:

Operations	\$976,287,399
Cash Capital	14,020,121
Debt Service	<u>81,351,623</u>
Subtotal	1,071,659,143
Tax Reserve	<u>5,359,500</u>
Total	\$1,077,018,643

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes, for school purposes for the fiscal year 2024-25 is hereby fixed and determined at \$957,918,643 and said sum is hereby appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2024-25 providing for raising the sum of \$119,100,000 in taxation on real estate for school purposes is hereby adopted.

Section 5. This ordinance shall take effect on July 1, 2024.

Levying taxes for municipal purposes for the fiscal year commencing July 1, 2024 and expiring June 30, 2025

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

Section 1. The sum of \$68,537,400, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2024 and expiring June 30, 2025 the amount required to meet the budget estimates for municipal purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2024 and expiring June 30, 2025.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2024 and expiring June 30, 2025.

Section 3. This ordinance shall take effect on July 1, 2024.

Levying taxes for school purposes for the fiscal year commencing July 1, 2024 and expiring June 30, 2025

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

Section 1. The sum of \$119,100,000, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2024 and expiring June 30, 2025 the amount required to meet the budget estimates for school purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2024 and expiring June 30, 2025.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2024 and expiring June 30, 2025.

Section 3. This ordinance shall take effect on July 1, 2024.

Local Improvement Ordinance - Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2024 and expiring June 30, 2025

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

Section 1. The Council finds and declares (1) that it is in the public interest to provide street cleaning, snow removal services on the streets and sidewalks, and the repair of hazardous sidewalks in the City of Rochester during the fiscal year from July 1, 2024 to June 30, 2025; (2) that the provision of such service benefits the properties abutting on such streets and sidewalks, and (3) that the cost of providing such services should be borne by the benefitted properties according to the benefit received by such properties.

Section 2. The Commissioner of Environmental Services shall cause the following improvements and work to be provided on streets, sidewalks and lots in the City of Rochester during the fiscal year July 1, 2024 to June 30, 2025:

- A. The removal of snow from such sidewalks and the repair of such hazardous sidewalks as the Commissioner may direct.
- B. The removal of snow and ice from the roadway of such streets as the Commissioner may direct, including the use of sodium chloride, calcium chloride, and other chemicals or abrasives for the treatment of slippery or icy pavement as deemed necessary by the Commissioner.
- C. The cleaning and/or flushing of such streets as the Commissioner may direct, including hand-cleaning, tank flushing, mechanical sweeping, and the collection and removal of brush, leaves, and debris.

Section 3. Such work shall be done by competitive contract, or by the Department of Environmental Services, as the Commissioner of Environmental Services deems appropriate.

Section 4. The cost of providing such street cleaning and street snow removal services for the 2024-25 fiscal year shall be assessed against all parcels of property that abut a street, reflecting the benefit to be derived by such parcels from such services. The cost of providing such sidewalk repair and snow removal services for the 2024-25 fiscal year shall be assessed against all parcels of property that abut a sidewalk, reflecting the benefit to be derived by such parcels from such services.

Section 5. The amount assessed shall be allocated among all benefitted parcels in direct proportion to each parcel's street or sidewalk footage, defined for purposes of

this ordinance as the full footage of the parcel along the street or sidewalk upon which it fronts, plus one-third of the footage along any other abutting streets or sidewalks. The Council hereby determines that such street or sidewalk footage represents the relative amount of benefit received by each such parcel.

Section 6. The total cost of such services to be assessed on July 1, 2024 shall be \$20,685,000.00 consisting of \$3,891,496.00 for street and lot maintenance, \$1,770,585.00 for sidewalk repair, \$11,933,054.00 for roadway snow removal and \$3,089,865.00 for sidewalk snow removal services. Such total amount constitutes an estimate of the amount necessary to pay contractors to provide services and to cover the costs of providing services with City crews between July 1, 2024 and June 30, 2025, less any miscellaneous revenues estimated to be collected during the same period, plus a reasonable reserve for uncollected assessments. All assessments collected shall be paid into the Local Works Fund, and all costs incurred shall be paid from such fund. The amounts assessed herein are appropriated for that purpose.

Section 7. The amount assessed on July 1, 2024 shall be billed on the tax bill and shall be due in one installment. Delinquent assessments collected more than 60 days into a fiscal year subsequent to the fiscal year billed shall be credited as revenue in the year collected and applied against costs in that fiscal year.

Section 8. This ordinance shall take effect on July 1, 2024.

Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2024 and expiring June 30, 2025

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

Section 1. The following assessments, amounts and charges, and the allocation of said amounts against properties in the City, as set forth in roll or rolls on file in the City Clerk's Office, to be inserted into the annual tax rolls for the fiscal year commencing July 1, 2024 and expiring June 30, 2025 are hereby in all respects confirmed:

Street and Lot Maintenance	\$3,891,496.00
Roadway Snow Removal	11,933,054.00
Sidewalk Snow Removal	3,089,865.00
Hazardous Sidewalk Repair	1,770,585.00
Delinquent Refuse	720,134.10
Delinquent Water Charges	6,237,400.81
Supplemental Taxes	310,237.29
Demolitions	2,038,012.76
Street Malls	36,102.24
Parking Lots	15,896.48
Code Enforcements	185,350.00
Code Violations	2,226,575.00
Downtown Enhancement	758,500.00
Emergency Abatement	91,112.84
Public Market Plowing	5,777.00
Public Market Security	45,543.25
Encroachment Fees	5,900.00
Rehabilitation Charges	104,646.80
Wilson Blvd. Street Lights	914.46
Norton Street Lights	1,972.42
Cascade Lights	1,369.28
Cascade Streetscape	4,000.00
Lake Avenue Lights	6,132.14
St. Paul Street Lighting	833.67
Upper East Alexander Refuse	22,032.00
Browncroft Lighting	9,508.99
Nunda Boulevard Lighting	8,449.38
Mt. Hope Streetscape	20,000.00
South Avenue Open Space 1	\$4,586.50
South Avenue Open Space 2	\$4,313.50
Arnold Park Enhanced Sidewalks	51,985.00

Section 2. This ordinance shall take effect immediately.

Amending the Municipal Code with respect to water rates

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

Section 1. Section 23-37 of the Municipal Code, relating to fees for water, as amended, is hereby further amended by amending subsections A and C thereof to read in their entirety as follows:

A. Consumption rates.

(1) Consumption Charge; schedule of rates.

<u>Gallons Consumed per Month</u>	<u>Charge per 1,000 Gallons</u>
0 to 300,000	\$3.96 <u>4.10</u>
300,001 to 1,000,000	\$3.56 <u>3.68</u>
1,000,001 to 13,000,000	\$2.77 <u>2.87</u>
Over 13,000,000	\$1.59 <u>1.65</u>

(2) Base Charge.

<u>Size of Meter (inches)</u>	<u>Charge per Month</u>
5/8	\$9.48 <u>9.81</u>
3/4	\$14.24 <u>14.74</u>
1	\$41.19 <u>42.63</u>
1 1/2	\$61.04 <u>63.15</u>
2	\$81.64 <u>84.47</u>
3	\$203.94 <u>211.08</u>
4	\$407.50 <u>421.76</u>
6	\$610.90 <u>632.28</u>
8	\$1,328.34 <u>1,374.80</u>
10	\$1,992.47 <u>2,062.21</u>

C. Fire-service charges.

(1) Domestic fire-service charge.

<u>Size of First Check Valve (inches)</u>	<u>Charge per Quarter</u>
Up to 2"	\$46.00 <u>47.61</u>
4"	\$91.00 <u>94.19</u>
6"	\$180.00 <u>186.30</u>
8"	\$357.00 <u>369.50</u>
10"	\$528.00 <u>546.48</u>
12"	\$759.00 <u>785.57</u>

(2) Holly high-pressure fire-service charge.

<u>Size of First Check Valve (inches)</u>	<u>Charge per Quarter</u>
---	---------------------------

Up to 2"	\$126.00 <u>130.41</u>
4"	\$253.00 <u>261.86</u>
6"	\$336.00 <u>347.76</u>
8"	\$670.00 <u>693.45</u>
10"	\$990.00 <u>1,024.65</u>

(3) Holly high-pressure consumption charge: ~~\$12.42~~ 12.54 per 1,000 gallons.

Section 2. This ordinance shall take effect on July 1, 2024.

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City of Rochester

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

Malik D. Evans
Mayor

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INTRODUCTORY NO.

260

JUN 11 2 25

June 11, 2024

TO THE COUNCIL

Ladies and Gentlemen:

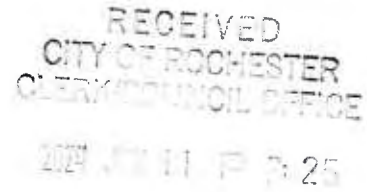
Re: Statement of Necessity

I am submitting this Statement of Necessity so that action may be taken during the June 18, 2024 Council Meeting on the attached legislation. This legislation is the Neighborhood Ambassador Program.

Respectfully submitted,

Malik D. Evans
Mayor





June 11, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Neighborhood Ambassador Program

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

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods, Fostering
Prosperity and Opportunity

Transmitted herewith for your approval is legislation authorizing a professional service agreement to pilot a Neighborhood Ambassador Program in the Northwest quadrant. This legislation will:

1. Appropriate \$125,000 in Restricted Opioid settlement funds received in the Opioid Compensation Fund authorized in Ordinance No. 2022-266 for a pilot program in the Lyell Ave area.
2. Authorize professional service agreement with Cameron Community Ministries, Inc. (CCM) (Olivia Kassoum-Amadou, Executive Director, Rochester, NY 14606) to implement a Lyell Avenue Ambassador Program for a term of one year and for a maximum compensation of \$125,000 to be funded by the appropriation in Section 1.

Ambassadors will be hired and trained by CCM and must be city residents, preferably from each specific neighborhood. Responsibilities will include: engaging with residents, workers and visitors; providing referrals to local resources; supporting beautification and anti-litter efforts; connecting to critical mental health and addiction prevention services; and offering wayfinding and information.

Respectfully submitted,

Malik D. Evans
Mayor



Ordinance No.

Authorizing agreement for Neighborhood Ambassador Program in Lyell Avenue area

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

Section 1. The sum of \$125,000 is hereby appropriated from the Restricted Account of the Opioid Compensation Fund established pursuant to §8.5 of the Municipal Code to implement a Neighborhood Ambassador Program in the Lyell Avenue area of the city.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Cameron Community Ministries, Inc. to implement a Neighborhood Ambassador Program in the Lyell Avenue area. The agreement shall have a term of one year. The maximum compensation for the agreement shall be \$125,000, which shall be funded by the Restricted Opioid settlement funds appropriated in Section 1 herein.

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

Section 4. This ordinance shall take effect immediately.



City of Rochester, NY
Rochester City Council

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

INTRODUCTORY NO.

261

Miguel A. Meléndez, Jr. Council President, Councilmember At-Large

June 18, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Statement of Necessity
Affordable Housing

I am submitting this Statement of Necessity so that action may be taken at the June 18, 2024 City Council Meeting on the attached resolution regarding Affordable Housing.

Respectfully submitted,

A handwritten signature in black ink that reads "Miguel A. Meléndez Jr." in a cursive script.

Miguel A. Meléndez, Jr.
President

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CITY OF ROCHESTER
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2024 JUN 18 PM 5:29



City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290
Miguel A. Meléndez, Jr, Council President, Councilmember At-Large

June 17, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Resolution of Budgetary Intent –
Affordable Housing

Council Priority: Neighborhoods

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is a resolution of budgetary intent committing up to \$1,000,000 of fund balance available at the end of the 2023-24 fiscal year for the purposes of affordable housing and equity homeownership projects.

Quality affordable housing remains a pressing need within our community.

Locally we can look at ways to assist residents to achieve homeownership and to help fund quality affordable housing projects, particularly those with funding shortfalls, within our City.

City Council believes the issue of access to affordable, quality housing is critical and sees this as an important area to invest in and support. To accomplish that, this resolution:

1. Commits up to \$1,000,000 of the 2023-24 Budget of City Council & Clerk available at the end of the 2023-24 fiscal year for the purposes of affordable housing and equity homeownership projects.
2. The Mayor is requested to develop a plan to spend the funds with the goals of reducing homelessness, increasing affordable housing options, and providing equitable access to homeownership opportunities with the input of the Neighborhoods, Jobs & Housing Committee of the Council.
3. Upon Council's approval of a Plan to promote the foregoing goals, the funds committed in Section 1 herein will be appropriated to implement it.

This resolution shall take effect on July 1, 2024.

Respectfully submitted,

Miguel A. Meléndez, Jr.
President, Rochester City Council

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CITY OF ROCHESTER
CLERK/COUNCIL OFFICE
2024 JUN 18 P 3 29

INTRODUCTORY NO.

261

Ordinance No.

Resolution of Budgetary Intent – Affordable Housing

WHEREAS, quality affordable housing remains a pressing need within our community; and

WHEREAS, a portion of the funds appropriated to the Budget of the City Council & Clerk, that remain unspent at the end of the present 2023-24 fiscal year, should be invested in ways that will expand access to high quality affordable housing in amounts and shares to be determined and approved by the Council in subsequent legislation; and

WHEREAS, Council would like to commit a portion of these funds to such purposes.

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

Section 1. The Council will commit up to \$1,000,000 of the 2023-24 Budget of City Council & Clerk available at the end of the 2023-24 fiscal year for the purposes of affordable housing and equity homeownership projects.

Section 2. The Mayor is hereby requested to develop a plan to spend the funds with the goals of reducing homelessness, increasing affordable housing options, and providing equitable access to homeownership opportunities with the input of the Neighborhoods, Jobs & Housing Committee of the Council.

Section 3. Upon Council's approval of a Plan to promote the foregoing goals, the funds committed in Section 1 herein will be appropriated to implement it.

Section 4. This resolution shall take effect on July 1, 2024.



City of Rochester, NY
Rochester City Council

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

INTRODUCTORY NO.
262

Miguel A. Meléndez, Jr. Council President, Councilmember At-Large

June 18, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Statement of Necessity
Community-Based Initiatives

I am submitting this Statement of Necessity so that action may be taken at the June 18, 2024 City Council Meeting on the attached resolution regarding Community-Based Initiatives.

Respectfully submitted,

A handwritten signature in black ink that reads "Miguel A. Meléndez, Jr.".

Miguel A. Meléndez, Jr.
President

RECEIVED
CITY OF ROCHESTER
GENERAL COUNCIL OFFICE
JUN 18 2024 3:30



City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290
Miguel A. Meléndez, Jr, Council President, Councilmember At-Large

June 17, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Resolution of Budgetary Intent –
Community-Based Initiatives

Council Priority: Neighborhoods

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is a resolution of budgetary intent recommending the use of up to \$400,000 of 2023-24 fund balance expected to be available for the purposes of Community-Based Initiatives to improve our neighborhoods for those who live there.

The lifeblood of any city lies in its neighborhoods, and it is important to fund opportunities that will strengthen neighborhoods across the city by improving quality of life.

Making funding available for community-based initiatives remains a critical need in our city, and Rochester City Council is making it a priority to fund initiatives that meet this need.

These initiatives will be funded in each of the four districts of City Council and through a process which emphasizes community need based on neighborhood-level, grass roots input.

Once the fiscal 2024-25 books are closed and the surplus is calculated, it is City Council's desire that unspent funds from the Budget of the City Council & Clerk will be appropriated out of fund balance and used to support these community-based initiatives. This action will require additional authorization by City Council.

The summary of what this resolution proposes:

1. The Council will commit up to \$400,000 (\$100,000 per quadrant) of 2023-24 Budget of the City Council & Clerk fund balance available at the end of the 2023-24 fiscal year for community-based initiatives.
2. District Councilmembers will lead a review committee in each quadrant of the city to consider applications for community based projects that will improve the quality of life in the City of Rochester.
3. District Councilmembers will set priorities for their respective District applications.
4. Projects will be proposed to the Council in the fall of 2024 for Council consideration, which, if approved, will be supported from the funds committed in Section 1 herein.

This resolution shall take effect July 1, 2024.

Respectfully submitted,

Miguel A. Meléndez, Jr.
President, Rochester City Council
Telephone: (585) 428-7538

Fax: (585) 428-6347
www.cityofrochester.gov

EEO/ADA Employer

RECEIVED
CITY OF ROCHESTER
OFFICE OF THE CLERK
JUN 18 12 30

INTRODUCTORY NO.

262

Ordinance No.

Resolution of Budgetary Intent - Community-Based Initiatives

WHEREAS, the lifeblood of any city lies in the neighborhoods which collectively make it a community; and

WHEREAS, a portion of the funds appropriated to the Budget of the City Council & Clerk that remain unspent at the end of the present 2023-24 fiscal year should be invested in ways that will strengthen neighborhoods across the city by funding community based initiatives, to be allocated in amounts and shares determined and approved by the Council in subsequent legislation; and

WHEREAS, Council would like to commit a portion of these unspent funds to such purposes; and

WHEREAS, these initiatives should be funded in each of the city's four Council districts.

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

Section 1. The Council will commit up to \$400,000 (\$100,000 per quadrant) of 2023-24 Budget of the City Council & Clerk fund balance available at the end of the 2023-24 fiscal year for community-based initiatives.

Section 2. District Councilmembers will lead a review committee in each quadrant of the city to consider applications for community based projects that will improve the quality of life in the City of Rochester.

Section 3. District Councilmembers will set priorities for their respective District applications.

Section 4. Projects will be proposed to the Council in the fall of 2024 for Council consideration, which, if approved, will be supported from the funds committed in Section 1 herein.

Section 5. This resolution shall take effect July 1, 2024.



City of Rochester, NY
Rochester City Council

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

INTRODUCTORY NO.

263

Miguel A. Meléndez, Jr. Council President, Councilmember At-Large

June 18, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Statement of Necessity
Park Maintenance Pilot

I am submitting this Statement of Necessity so that action may be taken at the June 18, 2024 City Council Meeting on the attached resolution regarding Park Maintenance Pilot.

Respectfully submitted,

A handwritten signature in black ink that reads "Miguel A. Meléndez Jr." in a cursive script.

Miguel A. Meléndez, Jr.
President

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CITY OF ROCHESTER
OFFICE OF THE CITY CLERK
JUN 18 15 12 30



City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290
Miguel A. Meléndez, Jr, Council President, Councilmember At-Large

June 17, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Resolution of Budgetary Intent – Park Maintenance Pilot

Council Priority: Neighborhoods

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is a resolution of budgetary intent to invest no more than \$100,000 of fund balance available at the end of the 2023-24 fiscal year for the purposes of investment in our youth by making funding available to improve the condition of facilities for their use to engage in sport and play.

The City of Rochester's greatest and most precious resource is its children, and Council believes it is an important obligation of City government to nurture and support them.

Safely engaging in sport and play is an important component of every child's development, and these investments will positively impact our community's ability to work together to raise stronger children.

In order to accomplish that, this resolution will:

1. Commit up to \$100,000 to support grassroots organized sports organizations to enhance litter cleanup and ongoing field maintenance.
2. The Mayor is requested to work collaboratively with Council to develop a plan to implement a Park Maintenance Pilot.
3. Upon presentation of the plan to City Council, the funds committed in Section 1 herein will be appropriated to implement it.

This resolution shall take effect on July 1, 2024.

Respectfully submitted,

Miguel A. Meléndez, Jr.
President, Rochester City Council

INTRODUCTORY NO.

263

Ordinance No.

Resolution of Budgetary Intent – Park Maintenance Pilot

WHEREAS, our city's most precious resource is its children; and

WHEREAS, a portion of the funds appropriated to the Budget of the City Council & Clerk that remain unspent at the end of the present 2023-24 fiscal year should be invested to improve the condition of facilities for children to engage in sport and play, to be allocated in amounts and shares as determined and approved by the Council in subsequent legislation; and

WHEREAS, Council would like to commit a portion of these unspent funds to such purposes; and

WHEREAS, these initiatives should be funded throughout the city to ensure equity.

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

Section 1. The Council will commit up to \$100,000 of fund balance from the 2023-24 Budget of City Council & Clerk available at the end of the 2023-24 fiscal year to support grassroots organized sports organizations to enhance litter cleanup and ongoing field maintenance.

Section 2. The Mayor is hereby requested to work collaboratively with Council to develop a plan to implement a Park Maintenance Pilot to enhance litter cleanup and ongoing field maintenance.

Section 3. Upon presentation of a Park Maintenance Pilot plan to Council, the funds committed in Section 1 herein will be appropriated to implement it.

Section 4. This resolution shall take effect on July 1, 2024.



City of Rochester, NY
Rochester City Council

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

INTRODUCTORY NO.

264

Miguel A. Meléndez, Jr. Council President, Councilmember At-Large

June 18, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Statement of Necessity
Senior Support Services

I am submitting this Statement of Necessity so that action may be taken at the June 18, 2024 City Council Meeting on the attached resolution regarding Senior Support Services.

Respectfully submitted,

A handwritten signature in black ink that reads "Miguel A. Meléndez Jr." with a stylized flourish at the end.

Miguel A. Meléndez, Jr.
President

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CITY OF ROCHESTER
ADMINISTRATIVE OFFICE
JUN 18 10 29 AM '24



City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290
Miguel A. Meléndez, Jr, Council President, Councilmember At-Large

June 17, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Resolution of Budgetary Intent –
Senior Support Services

Council Priority: Neighborhoods

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is a resolution of budgetary intent to commit no more than \$300,000 of fund balance available at the end of the 2023-24 fiscal year for the purposes of ensuring access to accessibility, services and supports for our elderly neighbors.

The City of Rochester has a large and growing population of older adults and elders, and many of our senior neighbors are from historically marginalized and underserved communities.

It is critical to identify any of our seniors' needs that are going unmet as well as any barriers that exist for them to access services and support.

In order to accomplish that, this resolution will:

1. Commit up to \$300,000 of 2023-24 Budget of the City Council & Clerk fund balance available at the end of the 2023-24 fiscal year for the purposes of ensuring accessibility, services and supports for our elderly neighbors.
2. The Mayor is requested to work collaboratively with Council, as needed, to plan how to address these Senior Support Services purposes.
3. Upon presentation of such a plan or plans to Council, the funds committed in Section 1 herein will be appropriated to implement them.

This resolution shall take effect on July 1, 2024.

Respectfully submitted,

Miguel A. Meléndez, Jr.
President, Rochester City Council

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CITY OF ROCHESTER
OFFICE OF THE CLERK/COUNCIL OFFICE
JUN 18 10 30

INTRODUCTORY NO.

264

Ordinance No.

Resolution of Budgetary Intent – Senior Support Services

WHEREAS, the City of Rochester has a large and growing population of older adults and elders; and

WHEREAS, many of our seniors are within the black and brown communities and face challenges and barriers to access services and other needs; and

WHEREAS, we need to identify any of our seniors' needs that are going unmet as well any barriers that exist for them to fully access services and support; and

WHEREAS, a portion of the funds appropriated to the Budget of the City Council & Clerk that remain unspent at the end of the present 2023-24 fiscal year, should be reserved for ensuring accessibility, services and supports for our elderly neighbors, to be allocated in amounts and shares determined and approved by the Council in subsequent legislation; and

WHEREAS, Council would like to commit these funds to such purposes.

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

Section 1. The Council will commit up to \$300,000 of 2023-24 Budget of the City Council & Clerk fund balance available at the end of the 2023-24 fiscal year for the purposes of ensuring accessibility, services and supports for our elderly neighbors.

Section 2. The Mayor is hereby requested to work collaboratively with Council, as needed, to plan how to address these Senior Support Services purposes.

Section 3. Upon presentation of such a plan or plans to Council, the funds committed in Section 1 herein will be appropriated to implement them.

Section 4. This resolution shall take effect July 1, 2024.



City of Rochester, NY
Rochester City Council

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

INTRODUCTORY NO.

265

Miguel A. Meléndez, Jr. Council President, Councilmember At-Large

June 18, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Statement of Necessity
Emerging Community Needs

I am submitting this Statement of Necessity so that action may be taken at the June 18, 2024 City Council Meeting on the attached resolution regarding Emerging Community Needs.

Respectfully submitted,

A handwritten signature in black ink that reads "Miguel A. Meléndez Jr." in a cursive script.

Miguel A. Meléndez, Jr.
President

RECEIVED
CITY OF ROCHESTER
MIGUEL A. MELÉNDEZ, JR. OFFICE
JUN 18 2024 2:30



City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290
Miguel A. Meléndez, Jr, Council President, Councilmember At-Large

June 17, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Resolution of Budgetary Intent –
Emerging Community Needs

Council Priority: Neighborhoods

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is a resolution of budgetary intent committing up to \$200,000 of the 2023-24 Budget of the City Council & Clerk fund balance available at the end of the 2023-24 fiscal year for the purposes of funding emerging community initiatives that may arise.

The City of Rochester is a vibrant and dynamic urban community, which often experiences opportunities and challenges that are fast to emerge and not always foreseen.

There are many potential needs emerging in areas like the cannabis industry, eviction prevention supports and refugee supports, among others, and City Council believes we need to be prepared to step in as needed to provide resources.

Once the fiscal 2023-24 books are closed and the surplus is calculated, it is City Council's desire that unspent funds from the Budget of the City Council & Clerk will be appropriated out of fund balance for the purposes of funding emerging community initiatives that may arise in the coming fiscal year.

Council will work with the Mayor to meet these opportunities and challenges as needed and as outlined in the resolution.

This resolution shall take effect on July 1, 2024.

Respectfully submitted,

Miguel A. Meléndez, Jr.
President, Rochester City Council

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CITY OF ROCHESTER
MEMORANDUM OFFICE
2024 JUN 18 P 9 30

INTRODUCTORY NO.

265

Ordinance No.

Resolution of Budgetary Intent – Emerging Community Needs

WHEREAS, the City of Rochester is a vibrant and dynamic urban community;
and

WHEREAS, our city often experiences opportunities and challenges that are fast to emerge and not always foreseen; and

WHEREAS, there are many potential needs emerging in areas like the cannabis industry, eviction prevention supports and refugee supports, among others; and

WHEREAS, the Council believes we need to be prepared to step in as need to provide supports as needed; and

WHEREAS, a portion of the funds appropriated to the Budget of the City Council & Clerk that remain unspent at the end of the present fiscal year should be reserved for emerging community needs in amounts and shares to be determined and approved by the Council in subsequent legislation; and

WHEREAS, Council would like to commit these funds to such purposes.

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

Section 1. The Council will commit up to \$200,000 of the 2023-24 Budget of the City Council & Clerk fund balance available at the end of the 2023-24 fiscal year for the purposes of funding emerging community initiatives that may arise.

Section 2. The Mayor is hereby requested to work collaboratively with Council, as needed, to plan how to address Emerging Community Need opportunities and challenges.

Section 3. Upon presentation of such a plan or plans to Council, the funds committed in Section 1 herein will be appropriated to implement them.

Section 4. This resolution shall take effect on July 1, 2024.



City of Rochester, NY
Rochester City Council

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

INTRODUCTORY NO.

266

Miguel A. Meléndez, Jr. Council President, Councilmember At-Large

June 18, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Statement of Necessity
Women & Civil Rights Caucus

I am submitting this Statement of Necessity so that action may be taken at the June 18, 2024 City Council Meeting on the attached resolution regarding a Women & Civil Rights Caucus.

Respectfully submitted,

A handwritten signature in black ink that reads "Miguel A. Meléndez, Jr.".

Miguel A. Meléndez, Jr.
President

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CITY OF ROCHESTER
OFFICE OF THE CITY CLERK
JUN 18 2024 11:30

Rochester City Council

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

INTRODUCTORY NO.
266

Stanley Martin, Councilmember-At-Large

June 18, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Resolution of Budgetary Intent -
Women & Civil Rights Caucus

Transmitted herewith for your approval is a Resolution of Budgetary Intent requesting to commit up to \$500,000 of fund balance from the Budget of the City Council and Clerk available at the end of the 2023-24 fiscal year for the purposes of: establishing a Women & Civil Rights Caucus, and professional development & training and hiring of a consultant(s) to evaluate the workplace experiences of Council Members and City staff and implement recommendations to ensure safety and equity for women in the workplace.

This resolution would:

1. The Council will commit no more than \$500,000 of fund balance from the Budget of the City Council and Clerk available at the end of the 2023-24 fiscal year for the purposes of professional development and training, hiring consultants to evaluate the experiences of Council Members and City staff, assist in the creation of equitable workflows and systems, evaluate the wages of Council Members and City staff, and implement recommendations to ensure safety and equity in the workplace
2. Support the creation of a Women's & Civil Rights Caucus, that will work to protect, empower, and advocate for the City of Rochester's women and marginalized identities, through its utilization of legislative, oversight, and budgetary powers of the Council.
3. The Women's & Civil Rights Caucus will work with the Council President, all interested Council Members and the Administration to implement recommendations to advance gender equity in the workforce through legislative action, budgetary intent, and others as identified, within six months from completion of evaluation and training

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JUN 18 2024 10 10 30

Respectfully submitted,



Mary Lupien
East District



Kim Smith
At-Large



Stanley Martin
At-Large



Willie J. Lightfoot, Sr.
At-Large

INTRODUCTORY NO.
266

Resolution No.

Resolution of Budgetary Intent - Women & Civil Rights Caucus

WHEREAS, City of Rochester residents consist of a majority of women and people of color;

WHEREAS, Rochester City Council has a vested interest in ensuring that the diversity of the City is honored and all City workers are treated equitably in the workplace;

WHEREAS, the Women's Bureau of the U.S. Department of Labor recognizes that women in the workplace, particularly women of color, experience multiple types of inequality in the labor force, including gender and racial wage gaps, and lack of representation in leadership;

WHEREAS, studies show that gender and racial discrimination in the workplace results in negative mental health outcomes for workers and wealth inequality;

WHEREAS, the Council has identified a significant gap in understanding the experiences of women working in the City of Rochester and investing resources to ensure their safety and ability to grow and thrive;

WHEREAS, investing in workplace safety, education, training, and equitable compensation evaluations is essential to rectifying historical injustices and fostering a culture of respect, dignity, and fairness within the City of Rochester; and

WHEREAS, Council would like to commit these funds to such purposes, recognizing that alleviating issues of inequity will strengthen the body and improve outcomes for the Rochester community.

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

Section 1. The Council will commit no more than \$500,000 of fund balance from the Budget of the City Council and Clerk available at the end of the 2023-24 fiscal year for the purposes of professional development and training, hiring consultants to evaluate the experiences of Council Members and City staff, assist in the creation of equitable workflows and systems, evaluate the wages of Council Members and City staff, and implement recommendations to ensure safety and equity in the workplace

Section 2. The Council will support the creation of a Women's & Civil Rights Caucus, that will work to protect, empower, and advocate for the City of Rochester's women and marginalized identities, through its utilization of legislative, oversight, and budgetary powers of the Council.

Section 3. The Women's & Civil Rights Caucus will work with the Council President, all interested Council Members and the Administration to implement recommendations to advance

gender equity in the workforce through legislative action, budgetary intent, and other approaches as identified, within six months from completion of evaluation and training.

Section 4. The funds committed by Section 1 herein shall only be used for the furtherance of women's and civil rights as set forth in Section 2.

Section 5. This resolution shall take effect July 1, 2024.



City of Rochester, NY
Rochester City Council

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

INTRODUCTORY NO.

267

Miguel A. Meléndez, Jr. Council President, Councilmember At-Large

June 18, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Statement of Necessity
Energy Bill Relief/Renewable Energy

I am submitting this Statement of Necessity so that action may be taken at the June 18, 2024 City Council Meeting on the attached resolution regarding Energy Bill Relief/Renewable Energy.

Respectfully submitted,

A handwritten signature in black ink that reads "Miguel A. Meléndez Jr.".

Miguel A. Meléndez, Jr.
President

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CITY OF ROCHESTER
JUN 18 2024



City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290
Miguel A. Meléndez, Jr, Council President, Councilmember At-Large

June 17, 2024

TO THE COUNCIL

Ladies and Gentlemen:

Re: Resolution of Budgetary Intent –
Energy Bill Relief/Renewable Energy

Council Priority: Neighborhoods

Comprehensive Plan 2034 Initiative Area:
Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is a resolution of budgetary intent recommending the use of up to \$500,000 of fund balance from the previously designated “Council Initiatives” fund available at the end of the 2023-24 fiscal year for the purposes of seeking more efficient, renewable and other potential ways to lower the impact of energy procurement on Rochester Residents.

The use of fossil fuels and other traditional energy sources adversely affects our environment and contributes to global warming. While the cost of energy continues to rise, which has the greatest impact on our most financially challenged residents.

Locally we can look at ways to assist citizens with lowering both their energy bills and their carbon footprint by embracing new technologies and renewable energy sources.

City Council believes this issue greatly affects all residents and commits the City to contribute to solutions that will positively affect our residents who use and pay for energy. To accomplish that, this resolution:

1. Commit no more than \$500,000 of fund balance from the funds previously designated for a public utility study in Resolution No. 2023-15 for the purposes of seeking more efficient, renewable and other potential ways to lower the impact of energy procurement on Rochester Residents.
2. The Mayor is requested to collaborate with the City Council to develop a plan to promote this Energy Bill Relief/Renewable Energy objective.
3. Upon presentation of the Plan by the Mayor to Council, the funds committed in Section 1 herein will be appropriated to implement the Plan.

This resolution shall take effect on July 1, 2024.

Respectfully submitted,

Miguel A. Meléndez, Jr.
President, Rochester City Council

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CITY OF ROCHESTER
OFFICE OF THE CLERK
2024 JUN 18 12 09 31

INTRODUCTORY NO.

267

Ordinance No.

Resolution of Budgetary Intent – Energy Bill Relief/Renewable Energy

WHEREAS, the cost of energy continues to rise, which has the greatest impact on our most financially challenged residents; and

WHEREAS, the use of fossil fuels and other traditional energy sources adversely impacts our environment and contributes to global warming; and

WHEREAS, locally, we can look at ways to assist citizens with lowering both their energy bills and their carbon footprint by embracing new technologies and renewable energy sources; and

WHEREAS, the Council believes this issue greatly affects all residents; and

WHEREAS, the Council would commit the City to contribute to solutions that will positively impact our residents who use and pay for energy; and

WHEREAS, a portion of the funds appropriated to the Budget of the City Council & Clerk which remain unspent at the end of the present 2023-24 fiscal year should be invested in ways that will reduce the financial burden of home energy usage in amounts and shares to be determined and approved by the Council in subsequent legislation; and

WHEREAS, Council would like to commit these funds to such purposes.

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

Section 1. The Council will commit up to \$500,000 of fund balance from the funds previously designated for a public utility study in Resolution No. 2023-15 for the purposes of seeking more efficient, renewable and other potential ways to lower the impact of energy procurement on Rochester Residents.

Section 2. The Mayor is hereby requested to collaborate with the City Council to develop a plan to promote this Energy Bill Relief/Renewable Energy objective.

Section 3. Upon presentation of the Plan by the Mayor to Council, the funds committed in Section 1 herein will be appropriated to implement the Plan.

Section 4. This resolution shall take effect on July 1, 2024.