

**PROCEEDINGS
OF THE
COUNCIL
OF THE
CITY OF ROCHESTER
2014**

ROCHESTER, NEW YORK

Officials 2014

Lovely A. Warren
Mayor

Leonard E. Redon
Deputy Mayor

Lisa M. Bobo
Chief of Information Technology

Christine Christopher
Director of Communications

Tassie R. Demps
Director of Human Resource Management

Norman H. Jones
Commissioner of Environmental Services

Tracey Miller
Assistant to the Mayor

Marisol Ramos-Lopez
Commissioner of Recreation & Youth Services

Delmonize Smith
Commissioner of Neighborhood &
Business Development

Christopher M. Wagner
Director of Management & Budget

Charles A. Benincasa
Director of Finance

T. Andrew Brown
Corporation Counsel

Michael Ciminelli
Police Chief

Alinda Drury ⁽¹⁾
Executive Staff Assistant IV

John M. Merklinger
Emergency Communications Center Director

Bridget A. Monroe ⁽²⁾
Executive Staff Assistant IV

John Schreiber
Fire Chief

Patricia Uttaro
Library Director

Timothy Weir
Director of Office of Public Integrity

(1) Retired April 19, 2014.

(2) As of April 20, 2014.

Members of Council 2014

Members	Residence
Loretta C. Scott President, Councilmember-at-Large	171 Berwick Road, 14609
Dana K. Miller Vice President, Councilmember-at-Large	265 Melrose Street, 14619
Carolee A. Conklin..... Councilmember-at-Large	310 Exchange Boulevard, Apt. 257, 14608
Matt Haag..... Councilmember-at-Large	951 Park Avenue, 14610
Adam C. McFadden Councilmember, South District	351 Inglewood Drive, 14619
Jacklyn Ortiz Councilmember-at-Large	45 Ontario Street, 14605
Carla M. Palumbo, Esq. Councilmember, Northwest District	1002 Glide Street, 14606
Michael A. Patterson..... Councilmember, Northeast District	1547 North Goodman Street, 14609
Elaine M. Spaul, Esq..... Councilmember, East District	42 Westminster Road, 14607

City Clerk's Office

2014

Hazel L. Washington.....	City Clerk
Condenessa G. Barron ⁽¹⁾	Deputy City Clerk
Birth A. Manigault	Chief Legislative Assistant
Rebecca M. McNamara.....	Senior Legislative Assistant
Betsy P. Indivino.....	Legislative Assistant
Bernard J. Christopher ⁽²⁾	Legislative Aide Part-time
Paris D. McGruder ⁽³⁾	Legislative Aide Part-time
Candice A. Bianchi ⁽⁴⁾	Senior Legislative Clerk
Dee S. Lewis ⁽⁵⁾	Senior Legislative Clerk
Michael Ann Flynn	Receptionist
Lisa M. Alexander.....	Legislative Clerk
Maria D. Ramos	Legislative Clerk

(1) Appointed April 28, 2014.
(2) Retired December 5, 2014.
(3) As of December 8, 2014.
(4) Retired June 6, 2014.
(5) As of June 9, 2014.

City Council Office 2014

Andrea M. GuzzettaChief of Staff

Bridget A. Monroe ⁽¹⁾ Associate Legislative Analyst

Robert J. Scanlon, II ⁽²⁾ Senior Legislative Analyst

Carmen L. Aponte-Merced Secretary to City Council

(1) Resigned April 19, 2014.

(2) As of April 3, 2014.

Standing Committees of The City Council 2014

Art & Culture

Spaull, McFadden, Ortiz

Finance

Conklin, Ortiz, Palumbo

Neighborhood & Business Development

Palumbo, Conklin, Patterson

Parks & Public Works

Haag, Patterson, Spaull

Public Safety, Youth & Recreation

McFadden, Haag, Spaull

The first Councilmember named after
the designation of the Committee is
Chair thereof.

Regular meetings of the Council shall be held at 7:30 p.m. in the Council Chamber, Room 302-A, City Hall.

Special Meetings may be called at any time by the Mayor or President of Council or any three Councilmembers.

ORGANIZATION MEETING
JANUARY 2, 2014
3:30 P.M.

Present - Presiding Officer Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 9.

Absent - 0.

The Council Presiding Officer requested the Council to rise for a Moment of Silence.

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

INTRODUCTION OF AND ACTION UPON
LOCAL LAWS, ORDINANCES AND RESOLUTIONS.

By Councilmember Conklin

Resolution No. 2014-1

Resolution For The Nomination And Selection Of A President Of The Rochester City Council

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

Section 1. The Council of the City of Rochester hereby nominates and selects Loretta C. Scott as President of the Council for the years 2014-15.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Palumbo

Resolution No. 2014-2

Resolution For The Nomination And Selection Of A Vice President Of The Rochester City Council

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

Section 1. The Council of the City of Rochester nominates and selects Dana K. Miller as Vice President of the Council for the years 2014-15.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Spaul

Resolution No. 2014-3

Resolution For The Selection And Appointment Of The City Clerk

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

Section 1. The Council of the City of Rochester hereby selects and appoints Hazel L. Washington as the City Clerk for the years 2014-15.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Miller

Resolution No. 2014-4

Resolution Adopting The Rules Of Council

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

Section 1. The Council hereby adopts the following Rules of Council, for the years 2014-15.

- I. REGULAR MEETINGS - Regular meetings of the Council of the City of Rochester shall be held in the Council Chambers, City Hall, at 7:30 P.M., on the following dates in 2014:

- January 28
- February 25
- March 25
- April 23
- May 20
- June 17
- July 22
- August 19
- September 16
- October 14
- November 12
- December 16

and also at such other times as the Council may by adjournment to a day certain appoint. The regular meeting schedule for 2015 shall be established in a resolution adopted in 2014. When the date for a regular meeting falls on a legal holiday the meeting shall be held on the following day.

- II. SPECIAL MEETINGS - Special meetings may be called at any time by the Mayor, the President of the Council, or any three Councilmembers. The City Clerk shall cause the written notice thereof, specifying the object of the meeting, to be served upon each member personally or to be delivered at the member's usual place of residence at least twenty-four hours before the time fixed for such meeting, except that if such notice is served prior to 5:00 P.M., the time for the special meeting may be fixed at any time after 9:00 A.M. the following day. Councilmembers may waive service of such notice in writing. At such special meeting no business other than that named in the notice of the meeting shall be transacted.

- III. EXECUTIVE MEETINGS - Whenever the Council or a duly constituted committee thereof shall determine to transact business in an executive session, it shall do so in accordance with the provisions of the Open Meetings Law, and the presiding officer shall direct all persons except members and designated officers of the City to withdraw.
- IV. QUORUM - The majority of the Councilmembers shall constitute a quorum; but a smaller number may adjourn from day to day.
- V. PRESIDING OFFICER - The President of the Council, and in the President's absence, the Vice President, shall preside over the meetings of the Council. In the absence of both the President and the Vice President, the City Clerk shall call the meeting to order and the Council shall appoint as presiding officer a President pro tempore.
- VI. ORDER OF BUSINESS - The following shall be the order of business at regular meetings:
 - 1. Roll Call.
 - 2. Moment of Silence & Pledge of Allegiance.
 - 3. Approval of the minutes of the preceding meeting or meetings.
 - 4. Communications to the Council from the Mayor, President of the Council, other corporate officers, boards and departments and miscellaneous communications.
 - 5. Presentation and reference of petitions and remonstrances.
 - 6. Public Hearings.
 - 7. Introduction of an action upon local laws, ordinances and resolutions.
 - 8. Reports of standing committees and action thereon.
 - 9. Reports of special committees.
 - 10. Miscellaneous business.
 - 11. Adjournment.
- VII. PERMISSION FOR PERSONS TO SPEAK BEFORE THE COUNCIL - For one hour prior to roll call at the commencement of a Council meeting, the President of the Council may allow any person to speak to the Council upon the following terms and conditions:
 - 1. In order to speak, a citizen must notify the Clerk's Office before 5:30 p.m. on Council meeting nights.
 - 2. The citizen must specify to the Clerk the subject of his or her remarks.
 - 3. The Clerk will prepare two lists of scheduled speakers:
 - A. Those wishing to speak on items which are on the agenda for that Council meeting and which are not the subject of a public hearing.
 - B. All other speakers.
 - 4. The lists shall be in the order that citizens notified the Clerk's Office.
 - 5. Each speaker will be allotted no less than two (2) minutes and no more than three (3) minutes. The President will divide sixty (60) minutes by the number of speakers on both lists to determine the amount of time allotted to each speaker.
 - 6. The President will call the speakers in order as listed on List A, and after completing List A, the speakers on List B, giving each the amount of time determined in paragraph 5 above.
 - 7. If there are any speakers on List A not reached by 7:30 p.m., the time for Speak to Council will be extended to allow all speakers on that List to be heard. If there are any speakers on List B who have not had the opportunity to speak before the Council Meeting begins, they will be invited either to speak at the conclusion of the Council Meeting or to return to the next Council session when their names will be placed at the top of the appropriate List.
 - 8. Speakers must relinquish the podium at the end of their allotted time.
 - 9. In the event that the President shall determine that any speaker is violating any of the Rules of Council, the President, in the President's discretion, may cause the meeting to be recessed.

Any person may also speak at meetings of duly constituted committees of the Council at the invitation of the Chairperson and upon such terms and conditions as the Chairperson may, from time to time, prescribe.
- VIII. PUBLIC HEARINGS - Each person wishing to speak on an item shall be allotted no more than 3 minutes. Speakers

must relinquish the podium at the end of their allotted time.

- IX. ROLL CALL VOTE - On the passage of every ordinance which is not adopted by unanimous vote, on the passage of any ordinance authorizing the issuance of bonds and notes, on the selection of any officer other than by unanimous vote, and on the enactment of any local law, the individual vote for or against the particular legislation before Council shall be entered in full upon the journal. In the case of an abstention from a vote, any member who abstains from voting shall state publicly the reasons for such abstention; such reasons shall be entered in full upon the journal.
- X. PRECEDENCE OF MOTIONS - When a question is before the Council no motion shall be entertained except: First, to adjourn; second, to fix the hour of adjournment; third, for the previous question; fourth, to lay on the table; fifth, to postpone indefinitely; sixth, to postpone to a day certain; seventh, to refer; eighth, to amend. These motions shall have precedence in the order indicated. Any such motion, except a motion to amend, shall be put to vote without debate.
- XI. PREVIOUS QUESTION - The previous question shall be put as follows: "Shall the main question be now put?" If this question is decided in the negative, the main question remains before the Council.
- XII. DIVISION OF QUESTIONS - If the question contains two or more divisible propositions, the presiding officer shall, upon the request of any member, divide the same, but a motion to strike out a provision and insert a substitute is not divisible.
- XIII. RECONSIDERATION - After the decision of any question, a member who voted in the majority may move its reconsideration at the same or a subsequent meeting. If a motion for reconsideration be lost, it shall not be renewed without unanimous consent of the members present and no question shall a second time be reconsidered without similar unanimous consent. After a local law or ordinance has been signed by the Mayor, or has been presented to the Mayor and more than thirty (30) days have expired, during which time the Mayor neither approved it nor returned it to the Clerk with objections, it shall not be reconsidered, but such local law or ordinance may be repealed, or amended.
- XIV. WITHDRAWAL OF MOTION - Any motion may be withdrawn by the maker before it has been amended or voted

upon, but in such case any other member may renew the motion at that time.

- XV. PROCEDURE ON RESOLUTIONS - All resolutions of the Council shall be adopted by the affirmative vote of a majority of the members present at the meeting at which action is taken thereon. Any member of the Council may introduce a resolution into the Council either (a) at any meeting of the Council, at which time the presiding officer shall refer the resolution to the appropriate standing committee, or (b) at any time until 5:00 p.m. the day before a committee meeting by submitting it to the President of the Council who shall promptly forward it to the Chair of the appropriate standing committee. The Council shall not vote upon any resolution until it has been discharged from one or more standing committees pursuant to Section XVII of these rules, provided, however, that the Council may vote upon a resolution without reference to or discharge from a standing committee if it is accompanied by a statement of necessity of immediate passage signed by the Mayor or the President of Council, or these rules are suspended as provided herein.
- XVI. PROCEDURE ON LOCAL LAWS AND ORDINANCES - All legislative acts of the Council shall be by local law or ordinance adopted by the affirmative vote of five members of the Council, unless otherwise expressly required by law.

Any member of the Council or the Mayor may introduce a Local Law or Ordinance into the Council. Such proposed legislation shall be submitted to the President of the Council. Proposed legislation submitted to the President of the Council by any Councilmember or the Mayor shall be deemed introduced into the Council on the day the President forwards it to the City Clerk who shall note on the copy the date of its introduction and its sequential introductory number.

Proposed legislation shall be similarly distributed to Councilmembers on "Agenda Day" which shall be at least nineteen (19) days prior to the date of the Council meeting at which it is scheduled to be considered. During the week following Agenda Day, additional legislation may be submitted to the President of Council for distribution to the appropriate committee(s) at the discretion of the President.

Proposed legislation submitted less than twelve (12) days before the Council Meeting at which it is scheduled to be considered shall be accompanied by a statement of necessity of immediate consideration, stating the nature of the emer-

gency, signed by the Mayor. Proposed legislation submitted less than five (5) days before the Council Meeting at which it is scheduled to be considered shall be accompanied by a statement of necessity of immediate consideration, stating the nature of the emergency, signed by the Mayor and President of the Council. The Clerk shall keep a file of all proposed legislation until it is voted upon by the Council or until the expiration of each two-year term of Council. A local law or ordinance amended after introduction shall not become a new local law or ordinance unless the presiding officer, or the Council on an appeal from the presiding officer's ruling, rules that the amendment is so substantial as to constitute a new local law or ordinance. The Council shall not vote upon any local law or ordinance until it has been discharged from one or more standing committees of the Council pursuant to Section XVII of these rules, provided, however, that the Council may vote upon proposed legislation without reference to or discharge from a standing committee if:

- a) as to a local law, it is accompanied by a statement of necessity of immediate passage signed by the Mayor, and its adoption is by the affirmative vote of six (6) members of the Council, or
- b) as to an ordinance, (i) it is accompanied by a statement of necessity of immediate passage signed by the Mayor, or (ii) approval to vote upon it is given by six (6) members of the Council.

Whenever a public hearing is required to be held by the Council on an item of proposed legislation, the President may direct the City Clerk to advertise the public hearing in the manner and for the period of time required by law so that such hearing may be held at the next available regularly scheduled or special Council meeting following introduction of the proposed legislation; or if the hearing is to be held before a committee, such hearing shall be advertised so that it may be held at the next available regularly scheduled or special meeting of that committee; unless the Council provides otherwise by resolution.

Whenever the Mayor has disapproved a local law or ordinance and the City Clerk has presented the local law or ordinance to the Council with the Mayor's objections, the President or any member of Council may move for reconsideration of the same within thirty (30) days.

XVII. CONSTITUTION OF COMMITTEES - The following standing committees shall

be appointed by the President of the Council at the organization meeting of the Council:

- Finance; Parks & Public Works; Neighborhood & Business Development; Public Safety, Youth & Recreation; Arts & Culture.

The first named member of each committee shall be Chair. The President and the Vice President shall be ex officio voting members of all committees.

A change in the personnel of the foregoing committees, including a change in the Chair thereof, may be effected at any time or times at the pleasure of the President of the Council with the concurrence of a majority of the Council, or in any case by a two-thirds vote of the Council. The President shall be empowered to constitute a Committee of the Whole, in place of any standing committee, to consider Mayoral appointments of Department Heads or for other resolutions, local laws, or ordinances considered to be of sufficient importance as to merit such treatment. Discharge from the Committee of the Whole shall fulfill the requirements variously stated in Sections XIV, XV, and XVII, which call for the discharge of any proposed legislation from a standing committee before it can be acted upon by the Council.

XVIII. MEETINGS AND PROCEDURES OF STANDING COMMITTEES - A majority of a committee shall constitute a quorum. Each committee shall meet at the call of its Chair or any other two members, upon reasonable notice to all committee members. Regular meetings of the standing committees shall be scheduled no later than five (5) days before the date of a Council meeting.

A committee may hold a public hearing on any proposed legislation referred to it. A committee may amend any proposed legislation referred to it by majority vote of its members taken at a meeting, and if discharged, the Council shall consider the proposed legislation.

In discharging any proposed legislation referred to it, a committee shall specifically recommend the legislation for adoption, rejection or consideration by the Council in a written report signed by a majority of its members attending the committee meeting. Any proposed legislation discharged by a committee shall be placed by the City Clerk on the agenda of the next regular Council meeting, at which the Council shall vote upon each item of proposed legislation separately, a yes vote to indicate adoption of the legislation, and a no vote to indicate rejection

of the legislation.

If a committee fails or refuses to discharge any proposed legislation referred to it, it may be discharged on a motion duly seconded by the affirmative vote of a majority of the Council.

XIX. ROBERT'S RULES OF ORDER - The rules of parliamentary practice comprised in Robert's Rules of Order shall govern the Council in all cases except as herein provided.

XX. SUSPENSION OF RULES - Any rule of the Council, except as otherwise specifically provided in such rule, may be temporarily suspended by a vote of two-thirds of all the members present, unless such rule is prescribed by law.

XXI. AMENDMENT OF RULES - No permanent alteration shall be made in these rules without notice of the proposed change having been given at a previous meeting.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

By Councilmember Patterson

Ordinance No. 2014-1

Designating The Official Newspapers Of The City Of Rochester For The Years 2014-15

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

Section 1. The following newspapers are hereby designated to be the official newspapers of the City of Rochester for the years 2014-15: the Democrat & Chronicle, the Daily Record, the Rochester Business Journal and City Newspaper.

Section 2. The Mayor is hereby authorized to enter into agreements with the publishers of said newspapers whereby said newspapers shall publish and print such materials as shall be delivered to the newspaper by the City Clerk or other authorized officials or employees of the City. In no event shall any designated newspaper have the right to publish all official notices of the City.

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

Section 4. This ordinance shall take effect immediately.

The meeting was adjourned at 4:34 P.M.

Hazel L. Washington
City Clerk

* * * * *

REGULAR MEETING
JANUARY 28, 2014

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 9

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

APPROVAL OF THE MINUTES
By Councilmember Conklin

RESOLVED, that the minutes of the Regular Meeting of December 17, 2013 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

- The Mayor submits the following:
 - Administrative Cancellation or Refund of Erroneous Taxes and Charges 4129-14
 - Public Disclosure - Lead Hazard Control Participation 4130-14
 - Quarterly Report - Delinquent Receivables 4131-14

The Council submits a Disclosure of Interest Form from President Scott on Int. No. 22.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Palumbo submits a petition with 1,388 signatures opposing reducing Lake Avenue to two lanes. Petition No. 1695

PUBLIC HEARINGS.

Pursuant to law public hearing will now be had on the following matter:

Changing The Traffic Flow On Veterans Place From One-Way Southbound To One-Way Northbound Int. No. 9 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
January 28, 2014

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 1 - Authorizing An Amendatory Agreement For Mayoral Transition

Int. No. 21 - Resolution Approving Appointments To The Board Of Ethics, As Amended

Int. No. 22 - Resolution Approving An Appointment To The Board Of Directors Of Action For A Better Community, Inc.

Int. No. 23 - Amending The Municipal Code With Respect To Taxicabs

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jackie Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-2
Re: Amendatory Agreement - Strategic
Community Intervention, LLC,
Mayoral Transition

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Strategic Community Intervention, LLC for additional services related to the Mayoral transition. Ordinance No. 2013-368 authorized \$28,915 as maximum compensation. This amendment will increase that amount by \$2,600 for a total of \$31,515. The additional cost will be funded from the 2013-14 Budget for Undistributed Expense.

SCI coordinated activities to plan and facilitate the transition of the Warren Administration, including financial and operational analyses. These additional funds will cover expenses not anticipated in the original agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-2
(Int. No. 1)

Authorizing An Amendatory Agreement For Mayoral Transition

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Strategic Community Intervention, LLC for additional services related to the Mayoral transition.

Section 2. The amendatory agreement shall

obligate the City of Rochester to pay an amount not to exceed \$2,600, and said amount, or so much thereof as may be necessary, shall be funded from the 2013-14 Budget for Undistributed Expense.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-5
Re: Appointments - Board of Ethics

Transmitted herewith for your approval is legislation to approve the reappointment of Calvin Lee, 19 Shelter Road, Rochester, NY 14611 and the appointment of Christopher Lindley, 271 Aberdeen Street, Rochester, NY 14619 to the Board of Ethics.

Mr. Lindley will fill the vacant seat that was previously held by Richard Hannon. Mr. Lindley's term will expire January 2016.

Mr. Lee's term will expire January 31, 2017. Terms of the other members expire in January of years 2015, 2016 and 2017.

Mr. Lindley's and Mr. Lee's resumés are on file with the City Clerk.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2014-5
(Int. No. 21, As Amended)

Resolution Approving Appointments To The Board Of Ethics

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

Section 1. The Council hereby approves the reappointment of Calvin Lee, 19 Shelter Road, to the Board of Ethics for a term which shall expire on January 31, 2017.

Section 2. The Council hereby approves the appointment of Christopher Lindley, 271 Aberdeen Street, Rochester, NY 14619, to the Board of Ethics for a term which shall expire on January 31, 2016. Mr. Lindley replaces Richard Hannon on the Board of Ethics.

Section 3. The Council hereby further approves the appointments of the following persons to the Board of Ethics to serve as City representative on the Board:

<u>Name</u>	<u>Title</u>
<u>Loretta C. Scott</u>	<u>City Council President</u>
<u>Michael Ciminelli</u>	<u>Interim Police Chief</u>

Section 4. This resolution shall take effect immediately.

Underlined material added.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-6
Re: Reappointment - ABC Board

Transmitted herewith for your approval is legislation making the following appointment to the Action for a Better Community, Inc. Board of Directors:

Charles A. Benincasa
91 Newcastle Road
Rochester, NY 14610

Mr. Benincasa's Board term is through November 2016.

The City and Monroe County are each authorized to appoint representatives to the Board of Directors of Action for a Better Community, Inc. Of the City's representatives, three are appointed by City Council, and one is appointed by the Mayor, subject to confirmation by the City Council.

A copy of Mr. Benincasa's resumé is on file in the office of the City Clerk.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2014-6
(Int. No. 22)

Resolution Approving An Appointment To The Board Of Directors Of Action For A Better Community, Inc.

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

Section 1. The Council hereby approves the appointment of City Finance Director Charles Benincasa to the Board of Directors of Action for a Better Community, Inc. for a term which shall expire on November 30, 2016.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Councilmember Conklin moved to return Int. No. 23 to Committee.

The motion was seconded by Councilmember

Palumbo.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 23
Re: Amending the Municipal Code - Taxicabs

Transmitted herewith for your approval is legislation amending Chapter 108 of the Municipal Code with respect to Taxicabs. The amendments will include the following:

1. Require a mandatory two hour taxi driver training session annually, beginning April 2014. Additional sessions will be offered on a quarterly basis as needed. The training will be offered at no cost to the taxi drivers and will be provided by the Police Department, City Clerk's Office and VisitRochester.

The training will include hospitality and customer service skills; appearance and hygiene; Rochester geography, highlights and sights; safety and how to get help in emergency situations; rules of the road; the City Code in regard to licensing, inspection and taxi zones; and most frequently asked questions.

2. Require all new taxicab to be painted in a uniform yellow color as of July 1, 2014 and phase in the change for vehicles that are already in the fleet by 2018. Exceptions may be made by the Chief of Police on historic vehicles in good condition.

3. Restrict the age of vehicles to no more than 10 years old from the vehicle's model year. Exceptions may be made by the Chief of Police on historic vehicles in good conditions.

4. Require that a panic light be installed in taxicabs. The light, which flashes from the bumper of the car, will alert police that there is a problem.

These additional requirements will assist with attracting visitors to our City, enhance the knowledge of the ever changing population of taxi drivers, and provide additional safety measures for taxi drivers.

Respectfully submitted,
Loretta C. Scott Carolee A. Conklin
Council President Chair, Finance Committee

Introductory No. 23

AMENDING THE MUNICIPAL CODE WITH RESPECT TO TAXICABS

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

Section 1. Section 108-16 of the Municipal Code, relating to taxicab regulations, as amended, is hereby further amended by replacing the second

sentence of subsection A(9) with the following new sentences:

By Councilmember Palumbo
January 28, 2014

All new taxicabs entering service on or after July 1, 2014 shall be painted in a uniform yellow color known as "National School Bus Glossy Yellow". As of July 1, 2018 all taxicabs shall be painted in a uniform yellow color known as "National School Bus Glossy Yellow". The Chief of Police may make an exception for a vehicle registered by the New York State Department of Motor Vehicles as a historical vehicle.

Section 2. Section 108-16 of the Municipal Code, relating to taxicab regulations, as amended, is hereby further amended by repealing subsection A(15) thereof and by adding thereto the following new subsections A(14) and (15):

- (14) No taxicab shall be more than 10 years old, as measured from the vehicle's model year. The Chief of Police may make an exception for a vehicle registered by the New York State Department of Motor Vehicles as a historical vehicle that is in good condition.
- (15) All taxicabs shall be equipped with a button that can be activated by the taxicab driver in case of an emergency, which activation shall cause a panic light to flash on the rear of the taxicab.

Section 3. Section 108-17 of the Municipal Code, relating to taxicab driver's licenses, as amended, is hereby further amended by adding thereto the following new subsection D:

- D. To be eligible for a taxicab driver's license, or the renewal thereof, a person shall have completed, within one year prior to the date upon which the license is to be valid, a two-hour taxicab driver training session offered by the City without cost. If the driver has not completed the training session prior to the date upon which the license is to be valid, a conditional license may be issued to the driver, which license shall automatically expire upon the ninetyth day after it is valid if the driver has not completed the training session within that time period. The training sessions shall be offered by the City on a quarterly basis beginning in April 2014. The training sessions shall provide information on matters such as hospitality and customer service skills; appearance and hygiene; Rochester geography, highlights and sights; safety and how to get help in emergency situations; rules of the road; Chapter 108 of the Municipal Code, Taxicabs; and the most frequently asked taxicab questions.

Section 4. This ordinance shall take effect on July 1, 2014.

Held in Committee.

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 2 - Authorizing The Sale Of Real Estate And Amending Ordinance No. 2013-373

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-3
Re: Sale of Real Estate and Amending Ordinance No. 2013-373

Transmitted herewith for your approval is legislation approving the sale of real estate and amending a previous ordinance.

Sale of Properties

City records have been audited to ensure that, with the exception of those buying unbuildable vacant land, purchasers of these twelve properties:

- Do not own other properties with code violations or delinquent taxes, and
- During the past five years have not been in contempt of court or fined as a result of an appearance ticket issued by the Bureau of Inspection and Compliance Services.

The first two properties are vacant lots that are being sold to a church which plans to develop the lots for a building expansion and additional parking. These two lots will be combined with the buyers' existing properties.

The next ten parcels are unbuildable vacant lots; all are being sold to their adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these thirteen properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$3,936.

Amending Ordinance No. 2013-373

Ordinance No. 2013-373 authorized the sale of 427 Hayward Avenue to Andora Moses as a negotiated sale of "Unbuildable Vacant Land." That categorization was incorrect. This amendment will reflect the correct category - negotiated sale of "Vacant Land with Proposal" with a purchase price of \$50.

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

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AN-1

Ordinance No. 2014-3
 (Int. No. 2)

Authorizing The Sale Of Real Estate And Amending Ordinance No. 2013-373

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

Section 1. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
776-780 S. Plymouth Av	121.69-4-1	50x120	5,974	\$350	Church of Rehabilitation in Christ*
19 Violetta St	121.69-4-2	37x99	3,739	\$200	Church of Rehabilitation in Christ

*Board of Trustees: Lisa D. Johnson, President; Vincent E. Hamilton, Vice President; Jurusha R. Jones, Secretary; Lillie B. Jones, Treasurer; Lillian E. Stephens, Trustee

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
141 Albemarle St	090.67-1-46.3	40x66	2,660	John H. Kier, Jr.
414-416 Columbia Av	120.67-3-50	38x115	4,370	Queen Esther Ballard
18 Mark St	106.41-2-5	34x128	4,367	E3 Rochester Real Estate, LLC**
948 North St	106.34-1-74	33x150	4,950	Judah Temple of Praise***
31 Radio St	106.30-3-16	34x106	3,604	Casta Rivera
338 Remington St	091.71-4-43	39x100	3,743	Bertha Samuel
EH of 90 Scrantom St	EH of 106.38-1-54	17x125	2,125	Aspen Valley, LLC****
WH of 90 Scrantom St	WH of 106.38-1-54	17x125	2,125	Sharon Medina
29 Selye Ter	090.83-1-20	59x33	2,067	Daniel Shapiro
31 Weld St	106.65-3-58	36x141	5,137	Alvord Taggart

**Officers: Richard Kaplan, Member; Meghan Schubmehl, Member; Dale Twardokus, Member
 ***Council Members: Lewis J. Henry, Bishop; Dorothy Henry, Co-Pastor; John F. Henry, Deacon; Kawanda Martinez, Secretary; Kristie Ruff, Record Keeper
 ****Officers: Alisha Lee, Member; Robert Brodeur, Member

Section 3. Section 2 of Ordinance No. 2013-373, relating to the sale of real estate, is hereby amended by amending the price for the sale of 427 Hayward Avenue from \$1.00 to \$50.00 and changing the type of sale to a "vacant land with proposal" sale.

Section 4. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Haag
 January 28, 2014

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 3 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Water Quality Testing Services

Int. No. 4 - Authorizing A Lead Agency Agreement Between The City Council And The Mayor Regarding Environmental Review

Int. No. 6 - Appropriating Funds And Authorizing An Agreement For The West River Wall Project

Int. No. 7 - Authorizing An Agreement For The Center City Two-Way Conversion Project And Appropriating Funds

Int. No. 7A - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$672,000 Bonds Of Said City To Finance The Center City Two-Way Conversion Project

Int. No. 8 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$117,000 Bonds Of Said City To Finance The Additional Cost Of Planning And Implementing Repairs To City Hall

Int. No. 24 - Authorizing Participation In The 2015 Preventive Maintenance Contract 1 Project

Int. No. 25 - Authorizing Participation In The 2015 Preventive Maintenance Contract 2 Project

Int. No. 26 - Bond Ordinance Of the City Of Rochester, New York, Authorizing The Issuance Of \$2,608,000 Bonds Of Said City To Finance The Cost Of The 2014 Parking Garage Repair And Reconstruction Program In The City

Int. No. 27 - Authorizing Participation In The 2015 Preventive Maintenance Crittenden Boulevard Project

Int. No. 28 - Authorizing An Inter-Municipal Agreement For Radio Transmitting Equipment

Int. No. 29 - Authorizing Participation In The Center City Two-Way Conversion Project - Phase II

Int. No. 30 - Appropriating Funds And Authorizing An Agreement For The Dewey/Driving Park Avenue Intersection Realignment Project, As Amended

The Jobs, Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 9 - Changing The Traffic Flow On Veterans Place From One-Way Southbound To One-Way Northbound

The following entitled legislation is being held in Committee:

Int. No. 5 - Resolution Approving Reappointments To The Downtown Enhancement District Advisory Committee

Respectfully submitted,
Matt Haag
Elaine M. Spaul
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-4
Re: Amendatory Agreement - Analytical Services, Inc., Water Monitoring Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Analytical Services, Inc. (ASI) (Williston, VT) for additional water quality testing services. The original agreement (Ord. No. 2011-112) included compensation of \$2,000 and a three-year term, which expires in June 2014. Previous amendments added \$13,000 (Ord. No. 2012-79) and \$20,000 (2012-207). This amendment will further increase maximum compensation by \$10,000 for a total of \$45,000. The additional cost will be funded from the 2013-14 Budget of the Department of Environmental Services.

In 2012, the US Environmental Protection Agency granted the City an extension to its Bilateral Compliance Agreement (BCA) regarding installation of ultraviolet (UV) disinfection reactors at Cobbs Hill and Highland Reservoirs. In order to ensure and document that additional UV treatment is not needed, the BCA was amended to require the City to test the water leaving the two reservoirs twice a month for the presence of the waterborne pathogens *Giardia* and *Cryptosporidium*. This additional testing was not anticipated under the original agreement.

The additional funds proposed herein will support testing through June 2014. A request for proposals for continued testing services will be issued in April 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-4
(Int. No. 3)

Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Water Quality Testing Services

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

Section 1. The sum of \$10,000, or so much thereof as may be necessary, is hereby established

as the compensation to be paid for an amendatory professional services agreement between the City and Analytical Services, Inc. for water quality testing services. Said amount shall be funded from the 2013-14 Budget of the Department of Environmental Services (Water Fund).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-5
Re: Agreement - Environmental Review
Lead Agency

Transmitted herewith for your approval is legislation authorizing an agreement between the City Council and the Mayor for the coordination of environmental review actions in which both parties are involved.

The requirement for environmental review of certain actions is specified by the New York State Environmental Quality Review Act and Chapter 48 of the City Code. When more than one governmental body is involved in actions covered under these laws and associated regulations, a lead review agency must be designated.

Since 1987, Council has authorized agreements designating the Administration as the lead agency for such actions, with the provision that gives the Council President 10 days to assume the lead agency designation, if desired.

Under the agreement, the Mayor will continue to notify the Council when an environmental review is required and that the review will be conducted by the Administration as lead agency. Upon receipt of notification, the President will advise the Council in writing of the proposed action and request comments within 10 days. The President may, within the 10-day period, notify the Mayor that the provisions of the lead agency agreement will not apply and that formal consideration of the designation of a lead agency by the Council will instead be required.

Consistent with past practice, the proposed agreement will have a term of two years.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-5
(Int. No. 4)

Authorizing A Lead Agency Agreement Between The City Council And The Mayor Regarding Environmental Review

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

Section 1. The President of the Council is hereby authorized to enter into an agreement with the Mayor for a term of two years, to create a coordinated environmental lead agency review procedure pursuant to Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the Municipal Code, for actions which involve discretionary decisions by the City Council and the Mayor.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-6
Re: Agreement - Bergmann Associates,
West River Wall Project

Transmitted herewith for your approval is legislation related to the reconstruction of the West River Wall of the Genesee River between Corn Hill Landing and the Ford Street Bridge. This legislation will:

1. Appropriate \$122,000 in anticipated reimbursements from the New York State Environmental Protection Fund, Local Waterfront Revitalization Grant Program to finance a portion of the costs of the planning and preliminary design services for the project.
2. Establish \$244,000 as maximum compensation for an agreement with Bergmann Associates for planning and preliminary design services required for the West River Wall Project. The cost will be funded from the New York State Environmental Protection Funds appropriated herein (\$122,000) and prior years' Cash Capital (\$122,000).

Ordinance No. 2009-347 authorized an agreement with the State for the administration and funding of the planning and preliminary design phases for the West River Wall project. The City was notified in February 2010 of the \$122,000 in NYS Department of State award, which requires a local match.

The subject section of the wall is approximately 2,200 feet long and is characterized by a crumbling flood control wall, overgrown vegetation, and lack of public access. Restoration of the wall will provide a uniform waterfront gateway to Downtown, support community vision, enhance real estate values, support the goals of the Federal Emergency Management Agency, and enhance public access to the river.

The property, identified in the Center City Master Plan as Erie Harbor Park, has two principal owners. The New York State Canal Corporation owns and maintains the wall; the City owns and maintains the

adjacent riverfront property. This property serves as a primary north-south corridor into Center City and is part of the Genesee Riverway Trail system.

In 2011, the Corn Hill Neighborhood Association, in partnership with the Rochester Region Community Design Center, hosted a design charrette as a basis for development of a Community Vision Plan. Using that plan as a starting point, Bergmann Associates will develop a comprehensive master plan that will include details to address traffic, public amenities, landscaping and similar issues; a phased implementation strategy; and preliminary design details required for reconstruction of the wall itself.

Bergmann Associates was selected for these services through a request for proposal process, which is described in the attached summary.

Planning and preliminary design services will begin in spring 2014. The project results in the creation/retention of the equivalent of 2.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-2

Ordinance No. 2014-6
(Int. No. 6)

Appropriating Funds And Authorizing An Agreement For The West River Wall Project

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

Section 1. The sum of \$122,000 is hereby appropriated from anticipated reimbursements from the New York State Environmental Protection Fund, Local Waterfront Revitalization Grant Program, to fund the West River Wall Project.

Section 2. The sum of \$244,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for design services for the West River Wall Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Of said amount, \$122,000 shall be funded from the funds appropriated in Section 1 and \$122,000 shall be funded from the Cash Capital allocation from prior years.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-7 and
Ordinance No. 2014-8
Re: Agreement - Center City Two-Way

Conversion Project

Transmitted herewith for your approval is legislation related to the Center City Two-Way Conversion Project. This legislation will:

1. Authorize an agreement with Rochester Genesee Regional Transportation Authority (RGRTA) for the receipt and use of \$562,500 in a Federal Transit Administration Bus Livability grant to finance a portion of the project.
2. Authorize the issuance of \$672,000 in bonds, and the appropriation of the proceeds therein, to finance a portion of project costs.

These funds will allow for implementation of the planned two-way conversion of the downtown portions of St. Paul Street and N. Clinton Avenue north of Main Street, and includes modifications to pavement markings, traffic signals, signing, and curb lines; and milling and resurfacing of East Main Street from St. Paul Street/South Avenue to N./S. Clinton Avenue.

Fisher Associates, P.E., L.S., P.C. is providing design services for the project (Ord. No. 2012-262 and amended via Ord. No. 2013-138) which will be completed by March 2014.

RGRTA has worked with the City to convert St. Paul Street and N. Clinton Avenue from one-way to two-way as a way to improve traffic flow related to operation of the new RGRTA transit center being constructed on Mortimer Street. The FTA grant application submitted by RGRTA included the City as a sub-recipient in order to accomplish this coordinated effort. The bond authorization is requested at this time since the FTA requires evidence of the local match.

It is anticipated that the project will be bid in March 2014, with construction beginning in summer 2014 and completed by fall 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-3

Ordinance No. 2014-7
(Int. No. 7)

Authorizing An Agreement For The Center City Two-Way Conversion Project And Appropriating Funds

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Genesee Regional Transportation Authority (RGRTA) for the receipt and use of funding from the Federal Transit Administration for the Center City Two-Way Conversion Project.

Section 2. The sum of \$562,500 is hereby ap-

propriated from anticipated reimbursements from Federal Transit Administration Bus Livability Grant Funds to fund the Center City Two-Way Conversion Project.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-8
(Int. No. 7A)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$672,000 Bonds Of Said City To Finance The Center City Two-Way Conversion Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the two-way conversion of the downtown portions of St. Paul Street and N. Clinton Avenue north of Main Street for the Center City Two-Way Conversion Project (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,234,500. The plan of financing includes the issuance of \$672,000 bonds of the City and said amount is hereby appropriated therefor, together with the application of \$562,500 from a Federal Transit Administration (FTA) Bus Livability Grant obtained by Rochester Genesee Regional Transportation Authority, of which the City is a sub-recipient, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$672,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$672,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of

said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.20(c) of the Local Finance Law, is fifteen (15) years.

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

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

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

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

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice at-

tached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-9
Re: City Hall Loop Pump and Heat
Exchanger Upgrades

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$117,000 and the appropriation of the proceeds thereof to partially finance the cost of replacing the heating and cooling system loop pumps and heat exchanger at City Hall.

This project includes the replacement of the two loop pumps which are now obsolete and installation of associated piping. It will also provide redundancy for the heat exchanger through the installation of an additional steam-to-hot-water heat exchanger.

Bids for construction were received on December 4, 2013. The apparent low bid of \$130,000 was submitted by Landry Mechanical Contractors which is 30% less than the engineer's estimate. The balance of construction costs (\$28,000), including an additional \$15,000 for project contingencies, will be funded from bonds authorized by Ordinance No. 2007-102.

The construction will commence in spring 2014 and be completed in summer 2014. The project will result in the creation/retention of the equivalent of 1.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-9
(Int. No. 8)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$117,000 Bonds Of Said City To Finance The Additional Cost Of Planning And Implementing Repairs To City Hall

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the additional cost of planning and implementing repairs to the heating, ventilating and air conditioning systems of City Hall (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is expected to be in excess of \$867,000, and said amount is hereby appropriated

therefor. The plan of financing includes the issuance of \$117,000 bonds of the City to finance said appropriation, together with the application of \$750,000 bonds previously appropriated in Ordinance No. 2007-102, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$117,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$117,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a.13 of the Local Finance Law, is ten (10) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and

issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-10
Re: 2015 Preventive Maintenance Project -
Contract 1 Design Services

Transmitted herewith for your approval is legislation related to 2015 Federal Aid Preventive Maintenance Project at four locations. This legislation will:

1. Authorize agreements with the New York State Department of Transportation (NYS-DOT) necessary to participate in and administer the project.
2. Appropriate \$137,323 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the design services.
3. Establish \$172,000 as maximum compensation for an agreement with C&S Companies for design services related to this project. The cost of the agreement will be funded from the FHWA reimbursements appropriated herein (\$137,323) and prior years' Cash Capital (\$34,677).

This federal aid project, administered by the City under agreement with the NYSDOT, includes four locations:

- Clifford Avenue (St. Paul Street to Joseph Avenue);
- Norton Street (St. Paul Street to Joseph Avenue);
- Ridge Road East (St. Paul Street to West City Line); and
- Lyell Avenue (West City Line - Belknap Street).

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

The estimated cost for construction is \$2,583,000 and will be funded from anticipated federal aid (\$2,204,000) to be appropriated when the construction contract is awarded. The balance (\$379,000) will be funded from City sources to be allocated and approved as part of the Capital Improvement Plan.

C&S Companies was selected for design services through a request for proposal process, which is described in the attached summary.

Design services will begin in winter 2014; it is anticipated that construction will begin in spring 2015 with scheduled completion in fall 2015. The design phase of this project results in the creation/retention of the equivalent of 1.8 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-4

Ordinance No. 2014-10
(Int. No. 24)

Authorizing Participation In The 2015 Preventive Maintenance Contract 1 Project

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

Section 1. The Council hereby approves participation in and administration by the City of the 2015 Preventive Maintenance Contract 1 Project.

Section 2. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation as may be necessary for the City to participate in and administer and fund the local share of the Project. The

Mayor is hereby further authorized to enter into necessary agreements with the New York State Department of Transportation providing for City responsibility for the maintenance and repair of the Project improvements. The agreements shall commit the City to fund \$34,677 for the design phase of the Project, which amount shall be funded from the Cash Capital allocation from prior years.

Section 3. The sum of \$137,323 is hereby appropriated from anticipated reimbursements from the Federal Highway Administration to fund the Project.

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

Section 5. The sum of \$172,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and C&S Companies for design services for the Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Of said amount, \$137,323 shall be funded from the appropriation made in Section 3 and \$34,677 shall be funded from the Cash Capital allocation from prior years.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-11
Re: 2015 Preventive Maintenance Project -
Contract 2

Transmitted herewith for your approval is legislation related to the 2015 Federal Aid Preventive Maintenance Project at six locations. This legislation will:

1. Authorize agreements with New York State Department of Transportation (NYSDOT) necessary to participate in and administer the project.
2. Appropriate \$191,013 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the design services.
3. Establish \$239,000 as maximum compensation for an agreement with Erdman Anthony for design services for this project. The cost of the agreement will be funded from the FHWA reimbursements appropriated herein (\$191,013) and prior years' Cash Capital (\$47,987).

This federal aid project, administered by the City under agreement with the NYSDOT includes six locations:

- Portland Avenue (Draper Street to North City Line);
- East Avenue (Winton Road to East City Line);
- University Avenue (Blossom Road to Probert Street);
- University Avenue (N. Winton Road to East Avenue);
- North Winton Road (University Avenue to Blossom Road); and
- South Winton Road (South City Line to East Avenue).

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

The estimated cost for construction is \$3,701,500 and will be funded from anticipated federal aid (\$2,913,500) to be appropriated when the construction contract is awarded. The balance (\$788,000) will be funded from City sources to be allocated and approved as part of the Capital Improvement Plan.

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

Design services will begin in winter 2014; it is anticipated that construction will begin in summer 2015 with scheduled completion in fall 2015. The design phase of the project results in the creation/retention of the equivalent of 2.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-5

Ordinance No. 2014-11
(Int. No. 25)

Authorizing Participation In The 2015 Preventive Maintenance Contract 2 Project

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

Section 1. The Council hereby approves participation in and administration by the City of the 2015 Preventive Maintenance Contract 2 Project.

Section 2. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation as may be

necessary for the City to participate in and administer and fund the local share of the Project. The Mayor is hereby further authorized to enter into necessary agreements with the New York State Department of Transportation providing for City responsibility for the maintenance and repair of the Project improvements. The agreements shall commit the City to fund \$47,987 for the design phase of the Project, which amount shall be funded from the Cash Capital allocation from prior years.

Section 3. The sum of \$191,013 is hereby appropriated from anticipated reimbursements from the Federal Highway Administration to fund the Project.

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

Section 5. The sum of \$239,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Erdman Anthony for design services for the Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Of said amount, \$191,013 shall be funded from the appropriation made in Section 3 and \$47,987 shall be funded from the Cash Capital allocation from prior years.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-12
Re: 2014 Annual Parking Garage Repair
And Reconstruction Program

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$2,608,000 and the appropriation of the proceeds thereof to finance the 2014 Annual Parking Garage Repair and Reconstruction Program.

Under agreements authorized in Ord. No. 2009-378 and Ord. No. 2010-116, T.Y. Lin performs comprehensive garage inspections, condition ratings, prioritization, structural design, and RPR services. They also develop both the annual and five-year capital program for the eight City-owned garages.

In May 2012, Pardi Partnership (Ord. No. 2012-204) evaluated the elevators in municipal parking garages and developed a life-cycle cost analysis and a five-year capital program for them. As a result of this study, the Garage Elevator Program was added to the City's Capital Improvement Program (CIP). There are a total of 21 elevators ranging in age from 17 to 35 years in City Parking Garages. These elevators are critical to garage operations and meeting ADA requirements in these important municipal facilities.

For fiscal year 2014 contract, the Annual Garage Elevator Program will be combined with the Annual Parking Garage Repair and Reconstruction Program. Combining these work programs into one contract will result in greater efficiency, better scheduling, and a lower net deliverable cost of contracted services to the City. Cost efficiencies are realized through the ability to combine design tasks and in the contractor's ability to use volume purchasing and increased opportunities to provide larger required MWBE work tasks which will result in higher productivity and lower bid pricing.

Seven City-owned garages (Genesee Crossroads, Mortimer Street, High Falls, South Avenue, Washington Square, Sister Cities, and Court Street) will be improved in 2014; work includes post-tensioned tendon repairs, deck waterproofing and sealing, repair to structural components, expansion joint repair, structural façade repairs and waterproofing, mechanical, electrical and plumbing system repairs, masonry repairs, and elevator repairs and replacements.

The East End Garage improvements are funded in the 2013-14 CIP; however, the construction is not scheduled until 2014-15. A significant amount of the Garage Elevator Program funding was deferred to 2014-15 CIP due to budget constraints. In order to advance the Garage Elevator Program, a portion of the 2013-14 East End Garage debt will be swapped for the planned 2014-15 Garage Elevator Program debt. This funding change will not impact the overall funding level for either program, but will enable the elevator renovations to go forward as needed.

The 2014 work is anticipated to be bid in March 2014. Construction is scheduled to begin in June 2014, with completion in December 2014. Total cost of the project, including contingency, is estimated at \$3,108,000 and will be funded as follows:

	Bonds Requested Herein	2013-14 Parking Cash Capital	Total
Design	\$ 0	\$400,000	\$ 400,000
Construction	<u>2,608,000</u>	<u>100,000</u>	<u>2,708,000</u>
Total	\$2,608,000	\$500,000	\$3,108,000

The project results in the creation/retention of the equivalent of 34 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-12
(Int. No. 26)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$2,608,000 Bonds Of Said City To Finance The Cost Of The 2014 Parking Garage Repair And Reconstruction Program In The City

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the reconstruction or construction of improvements to the Genesee Crossroads, Mortimer Street, High Falls, South Avenue, Washington Square, Sister Cities, East End and Court Street Parking Garages in the City, being Class "A" buildings, as a part of the 2014 Parking Garage Repair and Reconstruction Program, including but not limited to post-tensioned tendon repairs, deck waterproofing and sealing, repair to structural components, expansion joint repair, structural façade repairs and waterproofing, mechanical, electrical and plumbing system repairs, masonry repair, and elevator repairs and replacement (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,108,000. The plan of financing includes the issuance of \$2,608,000 bonds of the City, and said amount is hereby appropriated therefor, together with the application of \$500,000 in current City funds, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$2,608,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$2,608,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.12 of the Law, is twenty (20) years.

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

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-13
Re: Design Services - 2015 Preventive
Maintenance Project, Crittenden
Boulevard

Transmitted herewith for your approval is legislation related to a 2015 Federal Aid Preventive Maintenance Project for Crittenden Boulevard (Kendrick Road - Mt. Hope Avenue). This legislation will:

1. Authorize agreements with New York State Department of Transportation (NYSDOT) necessary to participate in and administer the project.
2. Appropriate \$51,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the design services.
3. Establish \$80,000 as maximum compensation for an agreement with Fisher Associates for design services for the Project. The cost of the agreement will be funded from the FHWA reimbursements appropriated herein (\$51,000) and prior years' Cash Capital (\$29,000).

This federal aid project, administered by the City under agreement with the NYSDOT, includes Crittenden Boulevard from Kendrick Road to Mt. Hope Avenue. Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

Fisher Associates was selected for design services through a request for proposal process, which is described in the attached summary.

The estimated cost for construction is \$862,000 and will be funded from anticipated federal aid (\$647,000) to be appropriated when the construction contract is awarded. The balance (\$216,000) will be funded from City sources to be allocated and approved as part of the Capital Improvement Plan.

Design services will begin in winter 2014; it is anticipated that construction will occur in the summer of 2015. This phase of the project results in the creation/retention of the equivalent of one full-time job.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-6

Ordinance No. 2014-13
(Int. No. 27)

Authorizing Participation In The 2015 Preventive Maintenance Crittenden Boulevard Project

BE IT ORDAINED, by the Council of the City

of Rochester as follows:

Section 1. The Council hereby approves participation in and administration by the City of the 2015 Preventive Maintenance Crittenden Boulevard Project.

Section 2. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation as may be necessary for the City to participate in and administer and fund the local share of the Project. The Mayor is hereby further authorized to enter into necessary agreements with the New York State Department of Transportation providing for City responsibility for the maintenance and repair of the Project improvements. The agreements shall commit the City to fund \$24,000 for the design phase of the Project, which amount shall be funded from the Cash Capital allocation from prior years.

Section 3. The sum of \$51,000 is hereby appropriated from anticipated reimbursements from the Federal Highway Administration to fund the Project.

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

Section 5. The sum of \$80,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Fisher Associates for design services for the Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Of said amount, \$51,000 shall be funded from the appropriation made in Section 3 and \$29,000 shall be funded from the Cash Capital allocation from prior years.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-14
Re: Inter-Municipal Agreement - Livingston County, Lease of Space for Radio Equipment

Transmitted herewith for your approval is legislation authorizing an agreement with Livingston County for the lease of space on a communications tower located on Jackman Hill Road in the Town of Livonia. The term of the lease will be for one year and will provide for four additional one-year renewals.

The annual cost of the lease, \$150, covers the City share of the electrical expenses associated with the site. This amount will be increased by 3% annually and will be funded from the annual Budgets of the Department of Environmental Services (Water Fund). These terms are the same as authorized in

the initial agreement (Ord. No. 2009-244).

Lease of this space allows the City to maintain and operate the spread-spectrum Ethernet radio communications equipment, antennas and appurtenances necessary for transmission of data between the Hemlock Filtration Plant and various points within the City water distribution network.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-14
(Int. No. 28)

Authorizing An Inter-Municipal Agreement For Radio Transmitting Equipment

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Livingston County for the lease of space on its communications tower located on Jackman Hill Road in the Town of Livonia for the placement of radio transmitting equipment of the Water Bureau. The agreement shall extend for a term of one year, with four additional one-year renewal periods.

Section 2. The agreement shall obligate the City to pay \$150.00 for the first year, which amount shall increase by 3% for each renewal year. Said amounts shall be funded from the annual budgets of the Department of Environmental Services (Water Fund), contingent upon adoption of subsequent budgets.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-15
Re: Center City Two Way Conversion Project - Phase II Design Services

Transmitted herewith for your approval is legislation related to the Center City Two-Way Conversion Project - Phase II. This legislation will:

1. Authorize agreements with the New York State Department of Transportation (NYS-DOT) necessary to participate in and administer the project.
2. Appropriate \$50,400 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the cost of design services.

3. Establish \$100,000 as maximum compensation for an agreement with LaBella Associates, P.C., for design services for the Project. The cost of the agreement will be funded from the FHWA reimbursements appropriated herein (\$50,400) and prior years' Cash Capital (\$49,600).

Phase I of the Project provided for two way traffic on Clinton Avenue and St Paul Street north of Main Street. Phase II will address South Clinton Avenue and the portion of Broad Street from S. Clinton Avenue to Stone Street.

Work on South Clinton Avenue will include milling and resurfacing of the pavement; replacement of street lighting; spot curb replacements; sidewalk repair; adjustment and repair of manholes, receiving basins, and water valve castings and replacement of traffic markings.

Broad Street (from S. Clinton Avenue to Stone Street), currently one-way west bound, will be converted to two-way traffic. Associated work will include: milling and resurfacing of the pavement from S. Clinton Avenue to South Avenue; curbline modifications; installation of traffic signal poles and modifications to existing traffic signal equipment; adjustment and repair of manholes, receiving basins, and water valve castings as necessary for the milling and resurfacing; replacement of traffic markings; and new traffic signs as necessary.

This Federal Aid project will be administered by the City through the NYSDOT. The estimated cost for construction is \$852,000 to be funded from anticipated federal aid (\$562,000) to be appropriated when the construction contract is awarded. The balance (\$290,000) will be funded from City sources to be allocated and approved as part of the Capital Improvement Plan.

LaBella Associates, P.C. was selected for design services through a request for proposal process, which is described in the attached summary.

Design services will begin in winter 2014; it is anticipated that construction will begin in spring 2015 with scheduled completion in summer 2015. The design phase results in the creation/retention of the equivalent of 1.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-15
(Int. No. 29)

Authorizing Participation In The Center City Two-Way Conversion Project - Phase II

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

Section 1. The Council hereby approves participation in and administration by the City of the Center City Two-Way Conversion Project - Phase II.

Section 2. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation as may be necessary for the City to participate in and administer and fund the local share of the Project. The Mayor is hereby further authorized to enter into necessary agreements with the New York State Department of Transportation providing for City responsibility for the maintenance and repair of the Project improvements. The agreements shall commit the City to fund \$49,600 for the design phase of the Project, which amount shall be funded from the prior years' Cash Capital allocation.

Section 3. The sum of \$50,400 is hereby appropriated from anticipated reimbursements from the Federal Highway Administration (FHWA) to fund the Project.

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

Section 5. The sum of \$100,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and LaBella Associates, P.C. for design services for the Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from the prior years' Cash Capital allocation.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-16
Re: Dewey/Driving Park Avenue Intersection
Realignment Project

Transmitted herewith for your approval is legislation related to the Dewey/Driving Park Avenue Intersection Realignment Project. This legislation will:

1. Authorize agreements with the New York State Department of Transportation (NYS-DOT) necessary to participate in and administer the project.
2. Appropriate \$349,174 in anticipated reimbursements from the Federal Highway Administration (FHWA).
3. Establish \$433,600 as maximum compensation for an agreement with Bergmann Associates for engineering planning and design service. The cost of the agreement will be funded from the FHWA reimbursements appropriated herein (\$349,174), and 2011-12 Cash Capital (\$84,426).

Realignment of this intersection will reduce traffic congestion, improve highway safety, and provide

pedestrian enhancements. The existing intersection is offset, resulting in the need for two signalized intersections to control traffic and resulting in delays and accidents. This project, located in the Maplewood FIS area, will advance a recommendation of the Community-Based Vision Plan for the Dewey Avenue Corridor/Maplewood Neighborhood, completed in January 2008 for the Maplewood Neighborhood Association.

Bergmann Associates was selected for the engineering planning and design service through a Request for Proposal process described in the attached summary.

Design of the project will begin this winter and is anticipated to be completed in fall 2015. FHWA funding for acquisition of the Right-of-Way (ROW) for the project must receive FHWA obligation by fall 2014 or the funding will be de-obligated. Construction of the intersection realignment is not yet scheduled, pending the availability of construction funding. By accepting the FHWA aid, the City has committed to funding the construction within 10 years of the final federal authorization. With an expected ROW obligation of fall 2014, the 10 year window will extend until fall 2024. This phase of the project results in the creation/retention of the equivalent of 4.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-7

Ordinance No. 2014-16
(Int. No. 30, As Amended)

Appropriating Funds And Authorizing An Agreement For The Dewey/Driving Park Avenue Intersection Realignment Project

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

Section 1. The Mayor is hereby authorized to enter into necessary agreements with the New York State Department of Transportation to participate in and administer the Dewey/Driving Park Avenue Intersection Realignment Project.

Section [1]2. The sum of \$349,174 is hereby appropriated from anticipated reimbursements from the Federal Highway Administration to fund the Dewey/Driving Park Avenue Intersection Realignment Project.

Section [2]3. The sum of \$433,600, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Bergmann Associates for engineering planning and design services for the Dewey/Driving Park Avenue Intersection Realignment Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Of said amount, \$349,174 shall be

funded from the funds appropriated in Section 1 and \$84,426 shall be funded from the 2011-2012 Cash Capital allocation.

Section [3]4. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-17
Re: Authorizing a Change in Traffic Flow - Veterans Place

Transmitted herewith for your approval is legislation authorizing a change in the direction of traffic flow on Veterans Place between Comfort Street and Alexander Street from one-way southbound to one-way northbound. This change is proposed as a traffic safety and circulation measure in response to neighborhood concerns.

The intersection of Veterans Place and Alexander Street has very poor sight distance due to the high parking demand in the neighborhood. Removal of additional on-street parking from Alexander Street would be detrimental to neighborhood residents and property values. Veterans Place, formerly known as Hecla Alley, was historically a one-way northbound street but was changed to one-way southbound in 2000 at the request of the Police Department in response to law enforcement issues. Those issues have since been addressed and the one-way southbound is no longer required for RPD purposes.

The one-way northbound change will improve safety by eliminating the problematic movement of vehicles onto Alexander Street from Veterans Place. It will also aid in neighborhood traffic circulation by serving as a couplet to Walton Street, which is also currently one-way southbound. Finally, the one-way will preserve valuable on-street parking for neighborhood residents and businesses.

Property owners on Veterans Place were notified of the proposed change; no negative feedback was received. The change to northbound one-way was endorsed by the City Traffic Control Board at its December 17, 2013 meeting.

A public hearing on the change in the direction of traffic flow is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-8

Ordinance No. 2014-17
(Int. No. 9)

Changing The Traffic Flow On Veterans

Place From One-Way Southbound To One-Way Northbound

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Veterans Place, from Comfort Street to Alexander Street, from one-way southbound to one-way northbound.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 5
Re: Appointments - Downtown Enhancement District Advisory Committee

Transmitted herewith for your approval is legislation confirming the reappointment of five members and the appointment of one new member to the Downtown Enhancement District Advisory Committee, as follows:

Reappointments. The following individuals will be reappointed to two-year terms to expire December 31, 2015.

James Brown
Rochester Riverside Convention Center
123 E. Main Street, 14604

Louis Nau
Canandaigua National Bank
45 E. Main Street, 14604

Scott Gonyeo
Winn Residential
25 Franklin Street, 14604

Mark Stevens
S. B. Ashley
Powers Building, 14614

Appointment. Valarie Akinlawon of the Metro Market located at 72 E. Main Street, will replace Robert Tait of Broadstone Real Estate, who has left the Committee after six years of participation. Ms. Akinlawon will serve a full two-year term which will expire on December 31, 2015.

A summary description of the Advisory Committee with a list of current members is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 5

RESOLUTION APPROVING REAPPOINTMENTS TO THE DOWNTOWN ENHANCEMENT DISTRICT ADVISORY COMMITTEE

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

Section 1. The Council hereby approves the reappointment of the following persons to the Downtown Enhancement District Advisory Committee:

<u>Name</u>	<u>Affiliation</u>	<u>Expiration</u>
James Brown	Rochester Riverside Convention Center	12/31/15
Louis Nau	Canandaigua National Bank	12/31/15
Scott Gonyeo	Winn Residential	12/31/15
Mark Stevens	S. B. Ashley	12/31/15

Section 2. The Council hereby approves the appointment of Valarie Akinlawon, Metro Market, 72 East Main Street, to the Downtown Enhancement District Advisory Committee for a term which shall expire on December 31, 2015. Ms. Akinlawon shall replace Robert Tait, whose term has expired.

Section 3. This resolution shall take effect immediately.

Held in Committee.

By Councilmember McFadden
January 28, 2014

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 10 - Authorizing An Agreement For The Motor Vehicle Theft And Insurance Fraud Prevention Program And Amending The 2013-14 Budget

Int. No. 11 - Authorizing An Agreement For The STOP Violence Against Women Program

Int. No. 12 - Authorizing An Amendatory Agreement For The Comprehensive Adolescent Pregnancy Prevention Program And Amending The 2013-14 Budget

Int. No. 13 - Authorizing An Amendatory Agreement For Fire Department Records Management System

Int. No. 31 - Authorizing An Agreement With The City School District For The Joint Use And Maintenance Of Facilities

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott

PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-18 and
Ordinance No. 2014-19
Re: Police Grants, New York State Division
Of Criminal Justice Services

Transmitted herewith for your approval is legislation authorizing applications to, and agreements with, the New York State Division of Criminal Justice Services (DCJS) for the receipt and use of two grants described below, and amending the 2013-14 Budget by \$22,100 to reflect a portion of one of the grants.

Motor Vehicle Theft and Insurance Fraud Prevention (MVTIFP) January 1 - December 31, 2014
This \$42,200 grant for the reduction of auto theft and insurance fraud will support Police Department deployment in high theft areas and increased investigations of insurance fraud. The grant also will be used to train police officers in specialized anti-theft techniques and technology.

The previous MVTIFP award authorized by City Council in December 2012 (Ord. No. 2012-473) resulted in 1,350 investigations of auto theft opened, 380 arrests made, and approximately \$560,000 in stolen vehicles recovered. No local match is required for this grant.

A prorated amount of \$22,100 of the grant will be added to the 2013-14 Budget of the Police Department for use during the current fiscal year. The remaining \$20,100 will be included in the proposed 2014-15 Budget of the Police Department.

STOP Violence Against Women Act (VAWA) January 1 - December 31, 2014
This award, not to exceed \$75,000, will partially reimburse the salaries of staff in the Family and Victim Services Section of the Police Department who help ensure the immediate safety of victims of domestic violence and help them find safe housing. Services include contacting victims prior to the arraignment of the perpetrators, and offering legal advocacy and follow-up services to ensure their continued safety.

During the past year, the VAWA grant (authorized via Ord. No. 2012-474) resulted in assistance for 500 domestic violence victims in high-risk targeted police patrol areas and over 150 domestic violence victims. This is the City's 15th year of funding under VAWA. There is no match for this grant. The funding under this program was anticipated and included in the 2013-14 Budget.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-9

Ordinance No. 2014-18
(Int. No. 10)

Authorizing An Agreement For The Motor Vehicle Theft And Insurance Fraud Prevention Program And Amending The 2013-14 Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for funding for the 2014 Motor Vehicle Theft and Insurance Fraud Prevention Program.

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

Section 3. Ordinance No. 2013-160, the 2013-14 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$22,100, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-19
(Int. No. 11)

Authorizing An Agreement For The STOP Violence Against Women Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for funding for the 2014 STOP Violence Against Women Program.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-20
Re: Budget Amendment - Comprehensive Adolescent Pregnancy Prevention Program Cost of Living Adjustment

Transmitted herewith for your approval is legislation related to a cost of living adjustment (COLA) provided by New York State for the Comprehen-

sive Adolescent Pregnancy Prevention (CAPP) Program. This legislation will:

1. Authorize an agreement with the New York State Department of Health for the receipt and use of \$43,792 in additional funding for the 2014 CAPP Program. This amount reflects the unanticipated COLA provided by the State.
2. Amend the 2013-14 Budget of the Department of Recreation and Youth Services by \$20,800 to reflect the portion of the COLA to be used to reimburse the City for staff time that was originally provided as in-kind support for the grant program.

The balance of the COLA funds will be included in the City's Teenage Pregnancy Special Revenue Fund and will be used to reimburse non-personnel City costs to cover program costs. A detailed breakdown is provided in the attached program budget.

Year 4 of the CAPP program was authorized by Council in November 2013 (Ord. No. 2013-389). The City was notified on November 27, 2013 that the New York State Department of Health had authorized the COLA for the CAPP Program, based upon a Congressional Budget Office calculation for state fiscal year 2013-14, resulting in the additional \$43,792. COLA funds must be expensed by March 31, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-10

Ordinance No. 2014-20
(Int. No. 12)

Authorizing An Amendatory Agreement For The Comprehensive Adolescent Pregnancy Prevention Program And Amending The 2013-14 Budget

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the New York State Department of Health for the receipt and use of funding for the operation of the 2014 Comprehensive Adolescent Pregnancy Prevention Program.

Section 2. The sum of \$23,056 is hereby appropriated from funds to be received from the New York State Department of Health to the Teenage Pregnancy Special Revenue Fund to pay for non-personnel and indirect expenses relating to the Program.

Section 3. Ordinance No. 2013-160, the 2013-14 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of

Recreation and Youth Services by the sum of \$20,800, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmember Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - Councilmember Conklin - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-21
Re: Amendatory Agreement - Alpine Software Corporation, Fire Department Records Management System

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Alpine Software Corporation (Pittsford, NY) to extend the term of the agreement (Ord. No. 2011-287) to September 14, 2014. No additional funds are required.

Extending the term of the agreement will allow for ongoing implementation of software modules to enhance the RFD Records Management System.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-21
(Int. No. 13)

Authorizing An Amendatory Agreement For Fire Department Records Management System

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Alpine Software Corporation for the continuing implementation of software modules to enhance the RFD Records Management System through September 14, 2014.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-22
Re: Agreement - Rochester City School District, Shared Use of the Thomas P. Ryan Community Center and #33 School

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester City School District for the use and maintenance of the Thomas P. Ryan Community Center between the City and the Rochester City School District (RCSD).

In 2009, the City and the RCSD jointly completed the renovations of #33 School, the Thomas P. Ryan Community Center, and the Sully Branch Library with the intention of sharing use of the facilities. The terms of the shared use agreement have been successfully negotiated and include the rights and responsibilities of each entity regarding the use and maintenance of the Community Center and the large gym and locker rooms within #33 School.

The specific terms for utility costs, maintenance and security responsibilities, and use of space are based on several years experience of actual usage. In general, each entity (City, RCSD) will have control over the use of its respective building (Community Center, School), with provisions for the other entity to use the building when not in use by the owner. Utility and maintenance costs will be prorated according to actual usage; security of the spaces during times of use will be the responsibility of the entity utilizing the space.

The agreement will have an initial term extending to June 30, 2022, with a provision for two additional ten-year renewals.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-11

Ordinance No. 2014-22
(Int. No. 31)

Authorizing An Agreement With The City School District For The Joint Use And Maintenance Of Facilities

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the City School District for the joint use and maintenance of the Thomas P. Ryan Community Center and School No. 33. The agreement shall extend for a term ending June 30, 2022 with an option for renewal for two additional terms of ten years upon mutual consent.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Spaul
January 28, 2014

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 14 - Establishing Maximum Compensation For A Professional Services Agreement For Public Market Concerts

Int. No. 32 - Amending Ordinance No. 2013-327 Relating To Art Agreements For Erie Harbor Enhancements Project

Respectfully submitted,
Elaine M. Spaul
Adam C. McFadden
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-23
Re: Agreement - Eskay Concerts Inc.,
Bands on the Bricks/Night Market
Concert Series

Transmitted herewith for your approval is legislation establishing \$22,000 as maximum compensation for an agreement with Eskay Concerts Inc. d/b/a/ "Up All Night" (Rochester 14620) to produce the "Bands on the Bricks/Night Market" summer concert series at the Rochester Public Market for 2014. The cost of this agreement will be funded from the 2013-14 Budget of the Department of Recreation and Youth Services.

Eskay will provide talent, sound and production services for up to five concerts during July and August 2014 featuring national and regional performers. The free concert series is part of the Public Market's overall strategy to increase off-market day usage of the site and to attract new visitors to the venue. Last year, over 27,000 people attended the concerts.

Eskay will provide the City with 4% of gross revenue (up to \$75,000) generated from sponsorships and sales at the events and 34% of any revenues above \$75,000. The City received \$2,254 in revenue from the summer 2013 concerts.

Eskay Concerts was selected through a request for proposal process in May 2012 and was awarded the contract for these services in 2012 and 2013. A new RFP will be issued in 2014 for future services.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-23
(Int. No. 14)

Establishing Maximum Compensation For A Professional Services Agreement For Public Market Concerts

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

Section 1. The sum of \$22,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Eskay Concerts (d/b/a Up All Night) for talent booking and production services for the "Bands on the Bricks/Night Market" summer concert series at the Rochester Public Market. Said amount shall be funded from the 2013-14 Budget of the Department of Recreation and Youth Services. The agreement shall also provide Eskay Concerts (d/b/a Up All Night) exclusive rights to vend beverages to the public at the "Bands on the Bricks" concert series, in exchange for 4% of the first \$75,000 in gross revenue from sponsorships and sales at the events, and 34% of the gross revenue above \$75,000.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-24
Re: Amending Ordinance No. 2013-327 -
Erie Harbor Enhancements Project

Transmitted herewith for your approval is legislation amending Ordinance No. 2013-327, which authorized art agreements related to the Erie Harbor Enhancements Project. One of the agreements incorrectly identified the vendors as Patrick Doyle and Pietro Furgiuele. This legislation will correct the name to: Waterford Enterprises Inc.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-24
(Int. No. 32)

Amending Ordinance No. 2013-327 Relating To Art Agreements For Erie Harbor Enhancements Project

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

Section 1. Ordinance No. 2013-327, authorizing an agreement with Patrick Doyle and Pietro Furgiuele for the Erie Harbor Enhancement Project, is hereby amended by changing the name of the con-

sultant to Waterford Enterprises Inc.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By President Scott
January 28, 2014

To the Council:

The following entitled legislation is being held in the Committee Of The Whole:

Int. No. 15 - Resolution Confirming The Appointment Of The Director Of Finance

Int. No. 16 - Resolution Confirming The Appointment Of The Corporation Counsel

Int. No. 17 - Resolution Confirming The Appointment Of The Commissioner Of The Department Of Environmental Services

Int. No. 18 - Resolution Confirming The Appointment Of The Commissioner Of The Department Of Recreation And Youth Services

Int. No. 19 - Resolution Confirming The Appointment Of The Commissioner Of The Department Of Neighborhood And Business Development

Int. No. 20 - Resolution Confirming The Appointment Of The Fire Chief

Respectfully submitted,
Carolee A. Conklin
Matt Haag
Adam C. McFadden
Jacklyn Ortiz
Carla M. Palumbo
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
COMMITTEE OF THE WHOLE

Vice President Miller moved to discharge Int. Nos. 15 through 20 from Committee.

The motion was seconded by Councilmember Haag.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

- Resolution No. 2014-7
- Resolution No. 2014-8
- Resolution No. 2014-9
- Resolution No. 2014-10
- Resolution No. 2014-11
- Resolution No. 2014-12

Re: Confirmation of Department Heads

Transmitted herewith for your approval is legislation confirming, as required by the City Charter,

the following appointments:

Charles Benincasa
Director of Finance

T. Andrew Brown
Corporation Counsel

Norman Jones
Commissioner of the Department of Environmental Services

Marisol Lopez
Commissioner of the Department of Recreation and Youth Services

Delmonize Smith
Commissioner of the Department of Neighborhood and Business Development

John Schreiber
Fire Chief

Resumes for these individuals are available for review in the City Clerk's Office.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2014-7
(Int. No. 15)

Resolution Confirming The Appointment Of The Director Of Finance

WHEREAS, the Mayor has appointed Charles Benincasa to the position of Director of Finance, subject to confirmation by the City Council, and

WHEREAS, Council has reviewed the qualifications of the appointee and determined that he 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 Charles Benincasa as Director of Finance.

This resolution shall take effect immediately.

Adopted unanimously.

Resolution No. 2014-8
(Int. No. 16)

Resolution Confirming The Appointment Of The Corporation Counsel

WHEREAS, the Mayor has appointed T. Andrew Brown to the position of Corporation Counsel, subject to confirmation by the City Council, and

WHEREAS, Council has reviewed the qualifications of the appointee and determined that he 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 T. Andrew Brown as Corporation Counsel.

This resolution shall take effect immediately.

Adopted unanimously.

Resolution No. 2014-9
(Int. No. 17)

Resolution Confirming The Appointment Of The Commissioner Of The Department Of Environmental Services

WHEREAS, the Mayor has appointed Norman Jones to the position of Commissioner of the Department of Environmental Services, subject to confirmation by the City Council, and

WHEREAS, Council has reviewed the qualifications of the appointee and determined that he 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 Norman Jones as Commissioner of the Department of Environmental Services.

This resolution shall take effect immediately.

Adopted unanimously.

Resolution No. 2014-10
(Int. No. 18)

Resolution Confirming The Appointment Of The Commissioner Of The Department Of Recreation And Youth Services

WHEREAS, the Mayor has appointed Marisol Lopez to the position of Commissioner of the Department of Recreation and Youth Services, 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 Marisol Lopez as Commissioner of the Department of Recreation and Youth Services.

This resolution shall take effect immediately.

Adopted unanimously.

Resolution No. 2014-11
(Int. No. 19)

Resolution Confirming The Appointment Of The Commissioner Of The Department Of Neighborhood And Business Development

WHEREAS, the Mayor has appointed Delmonize Smith to the position of Commissioner of the Department of Neighborhood and Business Development, subject to confirmation by the City Council, and

WHEREAS, Council has reviewed the qualifications of the appointee and determined that he 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 Delmonize Smith as Commissioner of the Department of Neighborhood and Business Development.

This resolution shall take effect immediately.

Adopted unanimously.

Resolution No. 2014-12
(Int. No. 20)

Resolution Confirming The Appointment Of The Fire Chief

WHEREAS, the Mayor has appointed John Schreiber to the position of Fire Chief, subject to confirmation by the City Council, and

WHEREAS, Council has reviewed the qualifications of the appointee and determined that he 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 John Schreiber as Fire Chief.

This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 7:57 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
FEBRUARY 25, 2014

Present - Councilmember Conklin, Haag, Miller, Ortiz, Palumbo, Patterson, Spaul - 7

Absent - President Scott, Councilmember McFadden - 2.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:
 Environmental Services
 *Ralph Contrer
 *Donald J. DeCarlo
 *Joseph A. Gentile
 *Richard N. Sweeney
 Emergency Communications
 *Laura N. McNaull
 Fire Department
 *Mark S. Strzyzynski
 Police Department
 *Linda M. Fitzgerald
 *Patrick M. Piano
 Library
 *Christine M. Costigan
 *Did not attend meeting.

APPROVAL OF THE MINUTES
 By Councilmember Haag

RESOLVED, that the minutes of the Organiza-
 tion Meeting of January 2, 2014 and the Regular
 Meeting of January 28, 2014 be approved as pub-
 lished in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR,
 COUNCIL PRESIDENT, CORPORATE OFFIC-
 ERS AND OTHERS.

The following communications are hereby directed
 to be received and filed:

The Mayor submits the following:
 Public Disclosure - CDBG Participation
 4132-14
 Request for Proposal Sale 4133-14
 Quarterly Report - Professional Services
 Agreements 4134-14

The Council submits Disclosure of Interest
 Forms from Councilmember Haag on Int. No. 42
 and Int. No. 65.

PRESENTATION AND REFERENCE OF PETI-
 TIONS AND OTHER COMMUNICATIONS.

None presented

PUBLIC HEARINGS.

Pursuant to law public hearing will now be had on
 the following matter:

Changing The Zoning Classification Of 375, 405
 And 415-425 West Ridge Road And 1760 Dewey
 Avenue From Eastman Business Park Planned
 Development District (PD #12) To C-3 Regional
 Center District Int. No. 44 No speakers.

Changing The Zoning Classification Of 433
 Maplewood Avenue From R-1 Low Density Resi-
 dential District To R-3 High Density Residential
 District Int. No. 61 No speakers.

Changing The Zoning Classification Of 330-350
 Monroe Avenue, 218-224 Alexander Street And
 230-250 Alexander Street From Institutional

Planned Development #3 Genesee Hospital To C-2
 Community Center District Int. No. 62 No
 speakers.

Approving Geometric Changes And Changes In
 The Pavement Width Of Thurston Road As Part Of
 The Thurston Road Revitalization Project Int.
 No. 52 No speakers.

Changing The Traffic Flow On Dunn Street
 Between Hudson Avenue And Roser Street From
 Two-Way To Westbound One-Way Int. No. 53
 No speakers.

REPORTS OF STANDING COMMITTEES AND
 ACTION THEREON

By Councilmember Conklin
 February 25, 2014

To the Council:

The Finance Committee recommends for adoption
 the following entitled legislation:

Int. No. 34 - Resolution Approving Reappoint-
 ment To The Rochester Public Library Board Of
 Trustees

Int. No. 35 - Establishing Maximum Compensa-
 tion For An Amendatory Professional Services
 Agreement For Computer Services

Int. No. 36 - Establishing Maximum Compensa-
 tion For An Amendatory Professional Services
 Agreement For Computer Training

Int. No. 60 - Approving the Commitment Of
 Reserve Funds

Int. No. 65 - Authorizing An Application For
 Designation As A Global Manufacturing Hub And
 An Agreement With Brownfield Development
 Solutions, Inc. For Professional Services In Prepa-
 ration Of The Application

Int. No. 23 - Amending The Municipal Code
 with Respect To Taxicabs, As Amended

The following entitled legislation is being held in
 Committee:

Int. No. 33 - Cancellation Of Taxes And Charges

Respectfully submitted,
 Carolee A. Conklin
 Carla M. Palumbo
 Jacklyn Ortiz
 Dana K. Miller
 Loretta C. Scott
 FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
 Ladies and Gentlemen:

Resolution No. 2014-13
Re: Re-Appointment - Rochester Public
Library Board of Trustees

Transmitted herewith for your approval is legisla-
tion confirming the appointment of Donna Benja-
min, 770 Thurston Road 14609, to a new term as a
Trustee of the Rochester Public Library.

Ms. Benjamin was initially appointed to the board
in 2006 to fill an unexpired term, and was reap-
pointed in 2008 to a full five-year term. During her
time on the board, she has served as the Liaison to
the Friends and Foundation of Rochester Public
Library and as a key member of the Board Nomi-
nating Committee. During the past year, she has
served as RPL Board Vice-President and as a valu-
able member of the Central Library Reorganization
Steering Committee.

Ms. Benjamin's new term will extend to December
31, 2018.

A copy of Ms. Benjamin's resume is available for
review in the Clerk's Office.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2014-13
(Int. No. 34)

**Resolution Approving Reappointment To The
Rochester Public Library Board Of Trustees**

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

Section 1. The Council hereby approves the
reappointment of Donna Benjamin, 770 Thurston
Road, as a Trustee of the Rochester Public Library
Board of Trustees for a term which shall expire on
December 31, 2018.

Section 2. This resolution shall take effect im-
mediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-25
Re: Amendatory Agreement - PSR
Incorporated, Mainframe Disaster
Recovery and System Administration
Support

Transmitted herewith for your approval is legisla-
tion authorizing an amendatory agreement with
PSR Incorporated (Canton, MA) for continuation of
services for the City's mainframe computer operat-
ing environment. The original agreement (Ord. No.
2009-59) included \$228,000 as maximum compen-
sation for a three-year term. Ordinance No. 2012-
355 authorized an amendment that added two addi-
tional years to the term and an additional \$150,000
in compensation. The agreement expires in April

2014.

The amendment proposed herein will extend the
term of the agreement to June 2017 and increase
compensation by \$245,000. Of that total, \$20,000
will be funded from the 2013-14 Budget of the
Department of Information Technology, and
\$75,000 from each of the three subsequent annual
department budgets, contingent upon their approv-
al.

The majority of City business operations rely on
systems and programs that have been developed in-
house and run on the mainframe computer located
in the Public Safety Building. These include essen-
tial activities such as payroll, tax billing, assess-
ment, parking violations, and water billing. A Dis-
aster Recovery and System Administration Plan is
critical to ensuring the delivery of these services.

PSR Incorporated will provide the following ser-
vices:

- In the event of a disaster, mainframe re-
sources in their secure data center with capa-
bilities that equal or surpass the City's main-
frame.
- Periodic disaster testing will be performed at
their site.
- Support of remote operation of disaster re-
covery tests and disaster recovery incidents
through multiple remote connectivity options
from the City to PSR's site.
- Monitor and implement periodic upgrades of
the City's mainframe operating system soft-
ware as required by IBM and other third party
vendors.
- Routine, daily administration of the City's
mainframe, including hardware and software
troubleshooting and base operational tasks.

IT staff will act as a liaison to PSR to coordinate
and monitor all tasks subject to this agreement (this
requires approximately 400 hours of support annu-
ally).

PSR Incorporated was originally selected for these
services in 2002 as part of the City's agreement
with IBM when Information Technology's move
into Public Safety Building was undertaken. Based
on their unique qualifications, they will continue to
provide these services. A complete justification for
not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-12

Ordinance No. 2014-25
(Int. No. 35)

**Establishing Maximum Compensation For
An Amendatory Professional Services Agree-**

ment For Computer Services

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

Section 1. The sum of \$245,000, or so much thereof as may be necessary, is hereby established as the maximum compensation to be paid for an amendatory professional services agreement between the City and PSR Incorporated for disaster recovery and professional support services for the IBM mainframe through April 30, 2014. Said amount shall be funded with \$20,000 from the 2013-14 Budget of the Information Technology Department, and \$75,000 per year in the 2014-15, 2015-16 and 2016-17 budgets, contingent upon adoption of those budgets. The amendatory agreement shall extend through June 30, 2017.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-26
Re: Agreement - New Horizons Computer Learning Center, Computer Training Services

Transmitted herewith for your approval is legislation establishing \$42,000 as maximum compensation for a three-year agreement with New Horizons Computer Learning Center to provide computer training to City staff. The cost of this agreement will be funded from the annual Budgets for Undistributed Expenses, beginning with 2013-14 (\$6,000). Amounts for subsequent years, (\$16,000 in 2014-15 and 2015-16; and \$4,000 in 2016-17) will be contingent upon approval of said budgets.

New Horizons Computer Learning Center has provided this training for City staff since 2010. They were selected again for this new contract through a request for proposal process described in the attached summary.

New Horizons Computer Learning Center provides computer training classes both on-site and at their training facility. Topics include multiple levels of Microsoft Office 2007 applications, including Excel, PowerPoint and Word. Participants receive a training book with detailed lessons of the class, and also have access to a variety of online training resources both during and following completion of the actual classes. Each participant is also allowed a second training class on the same topic free of charge within six months of their original training. During the past year, 322 employees participated in these courses, which results in an average cost of \$130 per person. New Horizons charges \$220 per person for non-City individual training.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-13

Ordinance No. 2014-26
(Int. No. 36)

Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Computer Training

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

Section 1. The sum of \$42,000, or so much thereof as may be necessary, is hereby established as the maximum compensation to be paid for a professional services agreement between the City and New Horizons Computer Learning Center for computer training services for City employees through December 31, 2016. Said amount shall be funded from the annual Budgets for Undistributed Expenses as follows: \$6,000 in 2013-14, \$16,000 in 2014-15, \$16,000 in 2015-16 and \$4,000 in 2016-17, contingent upon approval of said budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-27
Re: Committing Tax Relief and Retirement Reserves

Transmitted herewith for your approval is legislation authorizing the commitment of previously assigned funds for Property Tax Relief and Retirement Costs in accordance with Governmental Accounting Standards Board (GASB) Statement 54 *Fund Balance Reporting and Government Fund Type Definitions*.

From the surplus available at the end of 2012-13, the Director of Finance, as authorized in the City Charter, assigned an additional \$7,000,000 to Property Tax Relief and an additional \$5,612,000 to Retirement Costs. In order to change the classification from *assigned* to *committed*, City Council action is required. These commitments would bring the total General Fund Balance committed for Property Tax Relief to \$25,906,000 and for Retirement Costs to \$21,929,000.

The committed fund balance classification includes amounts that can be used only for the specific purposes determined by the action of City Council. Specifically, funds committed for Property Tax Relief (formerly the Tax Relief Reserve) can only be used to address future projected budget deficits; and funds committed to Retirement Costs (formerly the Retirement Reserve) will be used to manage future retirement costs.

These additional funds are available as a result of favorable 2012-13 year-end variances attributable to savings from the conversion to self-insurance for health care, adjustments and credits to the pension

bill, vacancy savings, unanticipated revenue, and the cancellation of unspent prior year encumbrances.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-27
(Int. No. 60)

Approving The Commitment Of Reserve Funds

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

Section 1. The Council hereby approves the commitment of \$7,000,000 for the purpose of tax relief to assist in addressing future projected budget deficits. The Council hereby further approves the commitment of \$5,612,000 for the purpose of retirement to assist in managing future retirement costs.

Section 2. The funds to be committed shall be funded from the surplus available from the 2012-13 budget, said funds having previously been assigned to the purpose of tax relief, and to the purpose of retirement by the Director of Finance pursuant to the authority granted to him by the City Charter.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-28
Re: Agreement - Brownfield Redevelopment Solutions, Investing in Manufacturing Communities Partnership Application

Transmitted herewith for your approval is legislation related to the City's application to the federal Manufacturing Communities Partnership (IMCP) initiative. This legislation will:

1. Authorize an agreement with the U.S. Economic Development Administration for an application to have the Greater Rochester Region designated as a global manufacturing hub through the IMCP program.
2. Establish \$20,000 as maximum compensation for an agreement with Brownfield Redevelopment Solutions, Inc. (BRS) of Medford, NJ for preparation of the application. The cost of this agreement will be funded from the 2013-14 Budget of the Mayor's Office.
3. Authorize agreements with the partnering organizations listed below for reimbursement of a portion of the cost of preparing the application. Exact amounts from each are being negotiated, but are expected to range from \$1,000 to \$5,000.

Partner organizations include:

- Monroe County
- Genesee Finger Lakes Regional Planning Council
- University of Rochester
- Rochester Institute of Technology
- Monroe Community College

The City is taking the lead in submitting a collaborative proposal to the U.S. Economic Development Administration to have the Greater Rochester Region designated as one of 12 federally-designated global manufacturing hubs under the Investing in Manufacturing Communities Partnership (IMCP) initiative. In addition to branding recognition and ancillary benefits (e.g., a federal "concierge" to identify future grant opportunities), the IMCP designation gives preferred status when applying for \$1.3 billion in pooled-funds from 10 federal agencies. Funds can be used for such areas as manufacturing site development, regional marketing, and workforce training.

BRS, with input and guidance from the Rochester Region IMCP Steering Committee, will draft and finalize the application. Submissions are due to the EDA by March 14, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-14

Ordinance No. 2014-28
(Int. No. 65)

Authorizing An Application For Designation As A Global Manufacturing Hub And An Agreement With Brownfield Development Solutions, Inc. For Professional Services In Preparation Of The Application

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

Section 1. The Mayor is hereby authorized to submit an application to the United States Economic Development Administration to have the Greater Rochester Region designated as a federally-designated global manufacturing hub under the Investing in Manufacturing Communities Partnership (IMCP) initiative.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Brownfield Redevelopment Solutions, Inc. (BRS) for preparation of the application, and the amount of \$20,000 is hereby established as the maximum compensation for said agreement. The cost of this agreement shall be funded from the 2013-14 Budget of the Mayor's Office.

Section 3. The Mayor is hereby authorized to enter into agreements with organizations that join as partners in the ICMP application, for reimbursement of a portion of the costs of preparing this application. These partner organizations are:

Monroe County
Genesee Finger Lakes Regional Planning Council
Rochester Institute of Technology
University of Rochester
Monroe Community College

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Introductory No. 23 was introduced January 28, 2014 and appears in its original form with its transmittal letter on page 7 of the current Council Proceedings.

Ordinance No. 2014-29
(Int. No. 23, As Amended)

Amending The Municipal Code With Respect To Taxicabs

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

Section 1. Section 108-16 of the Municipal Code, relating to taxicab regulations, as amended, is hereby further amended by replacing the second sentence of subsection A(9) with the following new sentences:

All new taxicabs entering service shall be painted in a uniform ~~yellow white~~ color known as ~~“National School Bus Glossy Yellow”~~. As of July 1, 2018 all taxicabs shall be painted in a uniform ~~yellow white~~ color known as ~~“National School Bus Glossy Yellow”~~. The Chief of Police may make an exception for a vehicle registered by the New York State Department of Motor Vehicles as a historical vehicle.

Section 2. Section 108-16 of the Municipal Code, relating to taxicab regulations, as amended, is hereby further amended by repealing subsection A(15) thereof and by adding thereto the following new subsections A(14) and (15):

(14) No taxicab shall be more than 10 years old, as measured from the vehicle’s model year. The Chief of Police may make an exception for a vehicle registered by the New York State Department of Motor Vehicles as a historical vehicle that is in good condition.

(15) All taxicabs shall be equipped with a button that can be activated by the taxicab driver in case of an emergency, which activation shall cause a panic light to flash on the rear of the taxicab.

Section 3. Section 108-17 of the Municipal Code, relating to taxicab driver’s licenses, as amended, is hereby further amended by adding thereto the following new subsection D:

D. To be eligible for a taxicab driver’s license, or the renewal thereof, a person shall have completed, within one year prior to the date upon which the license is to be valid, a two-hour taxicab driver training session offered by the City without cost. If the driver has not completed the training session prior to the date upon which the license is to be valid, a conditional license may be issued to the driver, which license shall automatically expire upon the ninety-th day after it is valid if the driver has not completed the training session within that time period. The training sessions shall be offered by the City on a quarterly basis beginning in April 2014. The training sessions shall provide information on matters such as hospitality and customer service skills; appearance and hygiene; Rochester geography, highlights and sights; safety and how to get help in emergency situations; rules of the road; Chapter 108 of the Municipal Code, Taxicabs; and the most frequently asked taxicab questions.

Section 4. This ordinance shall take effect on July 1, 2014.

New text is underlined, strikeout indicates deleted text

Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 33 from Committee.

The motion was seconded by Councilmember Palumbo.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-30
Re: Cancellation or Refund of Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges related to one property totaling \$1,500.

The property located at 325 S. Goodman Street was cited on October 22, 2012 for interior deteriorated paint. The owner was unaware of the ticket, since he had been relying on a local contractor for his communication with the City inspector. The contractor failed to notify the owner, resulting in additional fees and late charges. For this reason, as well as a mailing address problem, the owner was not aware of the fine until he received his 2013-14 tax bill. Upon receipt of the tax bill, the violation was immediately addressed and cleared on July 17, 2013.

If these cancellations are approved, total cancellations thus far for 2013-14 will be as follows:

	<u>Accounts</u>	<u>Amounts</u>
City Council	15	\$37,140.00
Administrative	77	<u>24,014.86</u>
Total	92	\$61,154.86

These cancellations represent 0.026% of the taxes receivable as of July 1, 2013.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-15

Ordinance No. 2014-30
(Int. No. 33)

Cancellation Of Taxes And Charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

(A) The property located at 325 S. Goodman Street had been ticketed multiple times for the same violation; interior deteriorated paint. The owner had been relying on his contractor to communicate with the city inspector from Inspection and Compliance Services. The contractor failed to notify the owner and was ultimately replaced. Because of this and a problem with the owner's mailing address, the owner wasn't aware of the fine until he received his 2013-14 tax bill. Upon receipt of the tax bill, the violation was immediately addressed and cleared on 7/17/2013.

<u>S.B.L.#</u>	<u>Class</u>	<u>Tax Year</u>	<u>Amount</u>
<u>Address</u>			<u>Cancelled</u>
121.50-2-54	H	2014	<u>\$1,500.00</u>
325 S. Goodman Street			
Grand Total			\$1,500.00

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Palumbo
February 25, 2014

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 37 - Authorizing The Sale Of Real Estate, As Amended

Int. No. 38 - Resolution Approving Reappointments To The City Planning Commission

Int. No. 39 - Resolution Approving Reappointments To The Rochester Preservation Board

Int. No. 40 - Resolution Approving Reappointment To The Rochester Environmental Commission

Int. No. 41 - Authorizing An Amendatory Agreement For The Marketview Heights Homeownership Project

Int. No. 42 - Authorizing Amendatory Agreements For the Rochester Walks Program

Int. No. 43 - Authorizing An Agreement For Development Representative Services

Int. No. 66 - Amending Ordinance 2013-309 Authorizing A Loan Agreement For The Market Apartments At Corpus Christi Project, To Change The Term Of The Loan

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 61 - Changing The Zoning Classification Of 433 Maplewood Avenue From R-1 Low Density Residential District To R-3 High Density Residential District

Int. No. 62 - Changing The Zoning Classification Of 330-350 Monroe Avenue, 218-224 Alexander Street And 230-250 Alexander Street From Institutional Planned Development #3 Genesee Hospital To C-2 Community Center District

The following entitled legislation is being held in Committee:

Int. No. 44 - Changing The Zoning Classification Of 375, 405 And 415-425 West Ridge Road And 1760 Dewey Avenue From Eastman Business Park Planned Development District (PD #12) To C-3 Regional Center District

Int. No. 59 - Authorizing A Shared Services Agreement With The Rochester Land Bank Corporation

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson (Did not vote on Int. Nos. 37 through 43)
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-31
Re: Sale of Real Estate

Transmitted herewith for your approval is legislation approving the sale of 53 properties. City records have been checked to ensure that purchasers (except those buying unbuildable vacant lots) do not own other properties with code violations or delinquent taxes, and have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

The first 43 properties were sold to the respective high bidder at the December 6, 2013 real estate auction. All purchasers will rehabilitate the structures within 12 months of the approval of the sale.

The second set of parcels is five vacant lots sold by negotiated sale. The second parcel in this section, 374 Conkey Avenue, is being sold to The Urban League of Rochester which plans to develop the lot as accessory parking. The remaining four lots are being sold to their adjacent owners who will combine the lots with their current parcels.

The last section contains five unbuildable vacant lots, all of which are being sold to their adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these 53 properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$38,400.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-16

Ordinance No. 2014-31
(Int. No. 37, As Amended)

Authorizing The Sale Of Real Estate

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

Section 1. The Council hereby approves the sale of the following parcels of improved property by regular auction:

Address	S.B.L.#	Lot Size	Use	Price	Purchaser
184 Adams St	121.45-1-14	50x147	3 Family	\$ 400	Veronica Anthony
405 Alphonse St	106.34-1-13	37x157	1 Family	\$ 400	Kelsey Bliss
*401 Alphonse St	106.34-1-12	37x157	Vacant Lot		
507 Ames St	105.81-1-19	50x76	1 Family	\$ 400	Andrew J. Cardot
86 Angle St	105.66-2-4	36x64	1 Family	\$ 6,200	Ross A. Conley
84 Ave B	105.28-1-28	40x120	2 Family	\$ 400	Michelle Vinson
100 Ave B	105.28-1-25	40x120	1 Family	\$ 1,400	Gabriele & Holger Vogt
924 Ave D	091.81-2-55	36x112	1 Family	\$ 1,300	Patrick Thomas
91 Bloss St	105.51-3-9	56x121	2 Family	\$ 1,100	Michelle Vinson
356 Carter St	091.74-3-54	59x110	1 Family	\$11,000	Anthony Forbes
483 Colvin St	105.81-2-55	35x101	1 Family	\$10,700	M2L2, Inc ¹
*479 Colvin St	105.81-2-54	35x100	Vacant Lot		
520 Conkey Av	091.69-2-16	50x136	1 Family	\$10,500	Anthony Forbes
52 Costar St	105.51-1-22.1	70x105	1 Family	\$ 600	Ross A. Conley
459 Cottage St	135.27-1-4	33x133	1 Family	\$ 400	Pascal Manigat
225 Curtis St	105.40-3-51	30x110	1 Family	\$ 400	Andrew M. Cardot
131 Elba St	135.28-1-30	34x100	1 Family	\$ 6,100	David Mankowski
100 Evergreen St	106.30-3-67	43x163	1 Family	\$ 400	William Burke-Mattis
*96 Evergreen St	106.30-3-69	82x144	Vacant Lot		
126 First St	106.51-1-26	40x120	2 Family	\$ 400	Veronica Anthony
339 Frost Av	120.68-1-56	33x141	1 Family	\$ 1,000	Richard Crossed
693-695 Genesee St	120.82-4-26	43x150	2 Family	\$28,000	QHM, Inc ²

215 Hawley St	120.76-1-72	35x102	1 Family	\$ 600	Michelle Vinson
25 Hempel St	106.43-3-16	38x121	1 Family	\$ 400	Brian Abramson
54 Kosciusko St	091.65-3-76	40x115	1 Family	\$ 7,000	Patrick Thomas
132 Maryland St	105.26-2-38	50x121	1 Family	\$ 400	Frederick A. Jones
64 Masseth St	105.73-1-27	34x97	1 Family	\$ 4,500	House of D Brew ³
84 Murray St	105.73-2-67	72x80	1 Family	\$ 400	Leighton Williams
68 Oriole St	105.25-3-59	30x87	1 Family	\$ 1,200	Jonathan Rogers
714 N. Plymouth Av	105.68-1-68	44x110	2 Family	\$ 400	Kulika Kim
832 S. Plymouth Av	121.69-4-61	40x80	2 Family	\$ 400	M2L2, Inc
423 Portland Av	106.34-2-51.1	80x120	2 Family	\$ 400	Aera Lee
*435 Portland Av	106.34-2-49	40x120	Vacant Lot		
19 Princeton St	106.38-3-21	35x84	1 Family	\$ 400	Patrick Thomas
314 Reynolds St	120.76-2-39	40x80	1 Family	\$ 400	David Mankowski
410 Roycroft Dr	091.83-1-72	40x85	1 Family	\$10,000	José DeJesus-Coto
403 Seward St	120.76-2-49	40x100	1 Family	\$ 1,000	David Mankowski
217 Spencer St	105.68-1-41	50x124	1 Family	\$ 400	Pascal Manigat
98 Taylor St	120.34-2-58	35x78	1 Family	\$ 400	Pascal Manigat
70 Warner St	105.57-2-30	50x150	1 Family	\$10,200	Aera Lee
45 Weld St	106.73-1-7	50x140	2 Family	\$ 2,000	Kulika Kim
72 Weld St	106.73-1-20	25x133	1 Family	\$ 400	Brian Abramson
*70 Weld St	106.73-1-19	25x133	Vacant Lot		

*Indicates vacant lots sold in conjunction with the structure listed above it

¹Principal: Leonard Gingello, Owner & Sole Proprietor

²Principal: David Boncaro, Owner & Sole Proprietor

³Principal: Darlene Brewster, Owner & Sole Proprietor

Section 2. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal:

Address	S.B.L.#	Lot Size	Sq. Ft.	Price	Purchaser
307 Ave A	106.22-4-12	40x116	4,726	\$ 425	Tammy Robinson
374 Conkey Av	091.77-2-32	75x131	9,693	\$ 2,500	Urban League of Rochester Economic Development Corp., Inc⁴
409-411 Lake Av	105.44-1-20	50x101	4,500	\$ 450	Waltbert Co, LLC ⁵
13 Lang St	091.70-3-10	53x138	7,281	\$ 500	José Gonzalaz
624 North St	106.49-2-75.1	69x100	6,915	\$ 475	MAS Holdings Group, LLC ⁶

~~⁴Board of Directors: Richard L. Baum, Chairperson; Jack Cannon, Immediate Past Board Chairperson; Glen A. Jeter, First Vice Chairperson; Franklyn D. Reynolds, Second Vice Chairperson; Julia Day, Third Vice Chairperson; Jonathan H. Glaza, Treasurer; Thomas M. Bartlett, Assistant Treasurer; Eleanor White, Recording Secretary; Ernest L. Hicks, Officer At Large; Rhondalynn Richards, Officer At Large~~

~~⁵Principal: Cheryl Hurley, Owner & Sole Proprietor~~

~~⁶Principal: Mark Sawyer, Owner & Sole Proprietor~~

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

Address	S.B.L.#	Lot Size	Sq. Ft.	Purchaser
90 Bloss St	105.51-2-36	25x94	2,347	Eric Nicholson
3 Linwood Pl	121.41-1-47	33x72	2,444	AHP Livingston, LLC ⁷
16-18 Nelson St	121.74-2-14	47x96	3,604	Gain Road, LLC ⁸
9 Vetter St	106.58-2-6.1	17x81	1,377	Ibero-American Development Corp ⁹
8 Weigel Al	106.33-1-70.1	25x79	2,229	Willie Dorsey

⁷Principals: Thomas Masaschi, Co-Owner; Jason Teller, Co-Owner

⁸Principals: Scott Cottier, Co-Owner; Brad Cottier, Co-Owner

⁹Board of Directors: Hilda Escher, Chairperson; Emeterio Otero, Treasurer; José Cruz, Secretary; Juan Lugo, Member; Arthur R. Hirst, Member; Eugenio Marlin, President & CEO

Section 4. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 5. This ordinance shall take effect immediately.

Strikeout material deleted

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-14,
Resolution No. 2014-15 and
Resolution No. 2014-16
Re: Reappointments - City Planning
Commission, Rochester Preservation
Board, and Rochester Environmental
Commission

Transmitted herewith for your approval is legisla-
tion confirming the reappointment of members of
the City Planning Commission, the Rochester Pre-
servation Board, and the Rochester Environmental
Commission as summarized below.

<u>Member Since</u>	<u>New Term To Expire</u>	<u>Mtgs. Attended/ Possible</u>
<u>City Planning Commission</u>		
David Watson 234 Aldine St., 14619 Oct 2001	Apr 2015	23/23
Eugenio Marlin 25 Riverside St., 14613 Jan 2006	Jan 2016	21/23
Heidi Zimmer-Meyer 288 Rockingham St., 14620 Jan 2006	Jan 2016	22/23
<u>Rochester Preservation Board</u>		
Deborah Beardslee 24 Trafalgar St., 14619 Aug 2002	Aug 2014	21/24
Michael Warfield 32 King St., 14608 Feb 2008	Feb 2015	23/24
Bonita Mayer 48 Atkinson St., 14608 Oct 2011	Feb 2016	21/24
<u>Rochester Environmental Commission</u>		
Ian Kuchman 46 Chatfield St., 14609 Oct 2011	Jul 2015	14/16

Resumes for all seven individuals are on file with
the City Clerk.

A summary description and list of current members
for each board are attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-17

Resolution No. 2014-14
(Int. No. 38)

**Resolution Approving Reappointments To
The City Planning Commission**

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

Section 1. The Council hereby approves the
reappointment of David Watson, 234 Aldine Street,
to the City Planning Commission for a term which
shall expire April 30, 2015.

Section 2. The Council hereby approves the
reappointment of Eugenio Marlin, 25 Riverside
Drive, to the City Planning Commission for a term
which shall expire January 31, 2016.

Section 3. The Council hereby approves the
reappointment of Heidi Zimmer-Meyer, 288 Rock-
ingham Street, to the City Planning Commission
for a term which shall expire January 31, 2016.

Section 4. This resolution shall take effect im-
mediately.

Adopted unanimously.

Resolution No. 2014-15
(Int. No. 39)

**Resolution Approving Reappointments To
The Rochester Preservation Board**

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

Section 1. The Council hereby approves the
reappointment of Deborah Beardslee, 24 Trafalgar
Street, to the Rochester Preservation Board for a
term which shall expire in August 2014.

Section 2. The Council hereby approves the
reappointment of Michael Warfield, 32 King Street,
to the Rochester Preservation Board for a term
which shall expire in February 2015.

Section 3. The Council hereby approves the
reappointment of Bonita Mayer, 48 Atkinson
Street, to the Rochester Preservation Board for a
term which shall expire in February 2016.

Section 4. This resolution shall take effect im-
mediately.

Adopted unanimously.

Resolution No. 2014-16
(Int. No. 40)

**Resolution Approving Reappointment To The
Rochester Environmental Commission**

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

Section 1. The Council hereby approves the reap-
pointment of Ian Kuchman, 46 Chatfield Street, to
the Rochester Environmental Commission for a
term which shall expire July 31, 2015.

Section 2. This resolution shall take effect im-
mediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-32
Re: Amendatory Agreement - Greater Rochester
Housing Partnership, Marketview Heights
Homeownership Project

Transmitted herewith for your approval is legisla-
tion authorizing an amendatory agreement with the
Greater Rochester Housing Partnership (GRHP) to
extend the term of the agreement related to the
Marketview Heights Homeownership Project for
one year to April 2015.

Through funds received from New York State,
GRHP undertook an affordable housing project in
the Marketview Heights FIS Area with the pur-
chase of four City-owned vacant lots for the con-
struction of single-family homes (Ord. Nos. 2011-
21 and 2011-242). The City subsequently provided
\$20,000 (Ord. No. 2012-10) for enhancements to
one of the properties (179 N. Union Street) given
its location on a gateway street in the FIS area.

With State funds remaining, GRHP proposed con-
structing an additional house contingent upon the
City's ability to provide the \$70,000 needed. That
amount was provided by the City and the lot at 97
Woodward Street was sold for this purpose (Ord.
No. 2013-177). That legislation, however, neg-
lected to extend the term of the agreement with
GRHP beyond April 2014 to accommodate the time
needed to sell the property to an income eligible
homeowner. Extending the agreement for one year
will allow ample time for sale and transfer of the
property.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-32
(Int. No. 41)

**Authorizing An Amendatory Agreement For
The Marketview Heights Homeownership
Project**

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

Section 1. The Mayor is hereby authorized to
enter into an amendatory agreement with the Great-
er Rochester Housing Partnership (GRHP) to pro-
vide an extension of the time period for additional
housing as a part of the Marketview Heights Ho-
meownership Project.

Section 2. The amendatory agreement shall
authorize an extension of the term of the current
agreement between the City and the Greater Roche-
ster Housing Partnership (GRHP) that was autho-
rized pursuant to Ordinance 2013-177. The exten-
sion shall extend the term from April 30, 2014 to
April 30, 2015.

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

Section 4. This ordinance shall take effect im-
mediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-33
Re: Amendatory Agreements - Cost of Living
Adjustment, Rochester Walks Program

Transmitted herewith for your approval is legisla-
tion related to a Cost of Living Adjustment (CO-
LA) provided by the New York State Department
of Health for the Healthy Heart/Rochester Walks
Program Grant. This legislation will:

1. Authorize an amendatory agreement with the
New York State Department of Health for the
receipt and use of the \$5,756 COLA for the
2013-14 Healthy Heart/Rochester Walks Pro-
gram.
2. Authorize an amendatory agreement with the
University of Rochester Center for Communi-
ty Health to increase compensation by \$5,756
for continued promotion of the Rochester
Walks Program in the Focused Investment
Strategy areas.

The additional funds will be used to enhance the
walking routes with signs and sidewalk markings.

Ordinance No. 2009-443 authorized the annual
receipt of \$71,775 for this five-year grant program.
Ordinance No. 2010-200 subsequently established
annual compensation of \$69,622 for the University
of Rochester, with the balance of the award being
retained by the City. During the past year eight
walking routes were completed.

This current amendment will bring the total award
to the University to \$75,378 for 2013-14.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-33
(Int. No. 42)

**Authorizing Amendatory Agreements For
The Rochester Walks Program**

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

Section 1. The Mayor is hereby authorized to
enter into an amendatory agreement with the New
York State Department of Health under the Healthy
Heart Program for funding for the Rochester Walks
Program.

Section 2. The Mayor is hereby authorized to

enter into an amendatory agreement with the University of Rochester to implement the Rochester Walks Program.

Section 3. The amendatory agreement shall obligate the City to pay an amount not to exceed \$5,756 for 2013-14 in addition to the \$69,622 previously authorized by Ordinance No. 2010-200, and said amount, or so much thereof as may be necessary, is hereby appropriated from New York Department of Health Healthy Heart Program Grant Funds.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-34
Re: Agreement - Highland Planning LLC,
Northwest Development Representative

Transmitted herewith for your approval is legislation establishing \$15,000 as maximum compensation for an agreement with Highland Planning LLC (Principal Tanya Zwahlen) for business and community development services for the Northwest Quadrant, and appropriating \$5,000 from the Focused Investment Strategy allocation of the Neighborhood and Asset Based Planning Fund of the 2013-14 Community Development Block Grant (CDBG) to partially fund the agreement. The balance of the cost will be funded from previously appropriated funds as follows:

<u>Amount</u>	<u>Ord. No.</u>
\$5,000	2011-96
	Quadrant Planning and Project Program
\$5,000	2013-180
	Neighborhood Commercial Assistance Program

Highland Planning LLC's services will include the following for the Northwest Quadrant:

- Create an inventory of businesses and available space
- Establish business associations
- Assist with streetscape and beautification projects
- Plan business and community events
- Help establish a microenterprise initiative
- Assist with business development outreach

This assistance is expected to result in increased business and community investment, the retention of existing jobs, and the creation of new jobs, while increasing the quality of life for both businesses and residents.

Highland Planning, LLC was selected through a request for proposal process which is described in

the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-18

Ordinance No. 2014-34
(Int. No. 43)

Authorizing An Agreement For Development Representative Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Highland Planning, LLC for services as a development representative in the Northwest Quadrant of the City.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$15,000, and the amount of \$5,000 from the Focused Investment Strategy allocation of the Neighborhood and Asset Based Planning Fund of the 2013-14 Community Development Block Grant is hereby appropriated in addition to \$5,000 in funding from monies previously appropriated for this purpose in Ordinance No. 2011-196 (Quadrant Planning Support) and \$5,000 in funding from monies previously appropriated for this purpose in Ordinance No. 2013-180 (Neighborhood Commercial Development Program).

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-35
Re: Amending Ordinance No. 2013-309 -
Loan Agreement, Market Apartments
At Corpus Christi

Transmitted herewith for your approval is legislation amending Ordinance No. 2013-309 to extend the term of the loan authorized therein from 30 to 50 years. Other terms of the loan will remain the same; i.e., annual interest payments of 2% (\$6,000), and the principal payment due at the end of the term.

Ordinance No. 2013-309 authorized a loan of \$300,000 to Market Apartments at Corpus Christi, LLC or an affiliated partnership or housing fund development corporation to be formed for the redevelopment of 880 East Main Street (former Corpus Christi building). A payment in lieu of tax agreement was also authorized for the project, and will remain at 30 years as per Ord. No. 2013-309.

Following Council authorization, New York State Homes and Community Renewal (NYS HCR) identified a need for modification of the related loan term. The extended term is needed to conform to New York State requirements for financing which now includes a loan of \$4,910,095 (at less than 1% interest) in HOME funds from NYS HCR. The City loan, represents approximately 3% of the project's total development cost of \$10,032,638.

The project received State funding for affordable rental housing with a preference for artists, and includes a separate building with studio space for the resident artists. As funded, the project will have Section 8 project-based assistance for eight units. The project was ultimately qualified by the State for a decreased amount of tax credits and an increased loan amount in HOME funds from NYS HCR. The increase in project debt is a significant factor in requesting that the City's loan term be extended. The current project budget is summarized below:

<u>Costs</u>	
Acquisition	\$ 207,099
Construction	6,987,823
Soft costs	1,123,549
Construction contingency	517,738
Development fee	921,142
Working capital	135,713
Project reserves	139,574
Total	<u>\$10,032,638</u>
<u>Sources</u>	
Equity	\$ 4,507,543
NYS HOME Loan	4,910,095
City loan	300,000
Fed. Home Loan Bank	315,000
Total	<u>\$10,032,638</u>

The change in the term of the City loan will align it with the term of the other permanent loans, each of which will have principal payments due at the end of the 50 year period.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-35
(Int. No. 66)

Amending Ordinance No. 2013-309 Authorizing A Loan Agreement For The Market Apartments At Corpus Christi Project, To Change The Term Of The Loan

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

Section 1. Ordinance No. 2013-309, authorizing the Mayor to enter into a loan agreement with Market Apartments at Corpus Christi, LLC or an affiliated partnership or housing development fund corporation formed for the Market Apartments at Corpus Christi Project, is hereby amended by changing the term of the loan from thirty years to fifty years. All other terms and conditions authorized by Ordinance No. 2013-309 shall remain the

same.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-36
Re: Zoning Map Amendment - 433 Maplewood Avenue

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning 433 Maplewood Avenue from R-1 Low Density Residential District to R-3 High Density Residential District.

The purpose of this rezoning is to provide the land necessary to construct a gymnasium in association with the University Preparatory Charter School for Young Men (UPREP) located at 1290 Lake Avenue. The Charter School is in the process of relocating its students from their existing location on Raines Park. This relocation will be completed by September of this year.

The Charter School property is zoned R-3, and there is an existing R-3 District located to the immediate west of 433 Maplewood. There is currently a vacant, three-family home on the parcel at 433 Maplewood Avenue. The home will be demolished, and this parcel will be combined with 1290 Lake Avenue for inclusion of the gym; UPREP owns both properties. UPREP received Special Permit approval to redevelop 1290 Lake Avenue into the Charter School in April 2013, and will be returning to the Planning Commission for approval of the gym expansion if the rezoning is approved.

The City Planning Commission held an informational meeting on this proposed rezoning on Monday, February 10, 2014. One person spoke in support of the rezoning; no one spoke in opposition. By a vote of 4-0 the Planning Commission recommended approval.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-19

Ordinance No. 2014-36
(Int. No. 61)

Changing The Zoning Classification Of 433 Maplewood Avenue From R-1 Low Density Residential District To R-3 High Density Residential District

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

Section 1. Chapter 120 of the Municipal Code,

Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcels, constituting 433 Maplewood Avenue from R-1 Low Density Residential District to R-3 High Density Residential District:

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 13, 20,000 Acre Tract, and being more particularly bounded and described as follows: Beginning at a point in the centerline of Maplewood Avenue (50' ROW), at the easterly projection of the north line of Lot 109 of the Maplewood & Lake Avenue Cooperative Building Lot Association Tract, as filed in the Monroe County Clerk's Office in Liber 4 of Maps, Page 18, said point being the Point or Place of Beginning; thence

- 1) Southerly, along said centerline of Maplewood Avenue, a distance of 43.6 feet, more or less, to the easterly projection of the south line of said Lot 109; thence
- 2) Westerly, along said projection and the south line of said Lot 109, a distance of 192.5 feet to the southwest corner thereof; thence
- 3) Northerly, along the west line of said Lot 109, a distance of 43.34 feet to the northwest corner thereof; thence
- 4) Easterly, along the said north line of Lot 109 and its projection, a distance of 192.5 feet to the said centerline of Maplewood Avenue, being the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-37
Re: Zoning Map Amendment - 330-350
Monroe Avenue, and 218-224 and
230-250 Alexander Street

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the above properties from IPD #3 Genesee Hospital to C-2 Community Center District. The applicant, Ken Glazer of Buckingham Properties, is requesting the rezoning to facilitate the proposed mixed use development of this area to be known as Alexander Park.

For planning purposes, the applicant has divided the site into two areas, Subarea 1 (the southern part of the site, between Monroe Avenue, Averill Avenue and Alexander Street) and Subarea 2 (the northern part of the site, between Tracy Street and Alexander Street). Subarea 1 has already been successfully redeveloped into retail, small commercial, and office space which include medical and healthcare offices; EarthLink; a parking garage,

restaurant, and a bank.

In order to continue development, the applicant proposed rezoning the IPD #3 to Alexander Park Planned Development District (PD) #13. Although the City of Rochester has typically encouraged changing IPDs to PDs, it was determined that the regulations for the proposed Planned Development District were so close to those contained in the C-2 Community Center District, that creating an entirely new district is unnecessary. Rezoning the above properties to C-2 will allow the applicant to utilize regulations and processes that are already in place and streamline the process by not creating a new section of the Zoning Code.

Rezoning these properties to C-2 will allow the applicant to continue mixed-use development of this area, and is compatible with the C-2 zoning of the surrounding properties. The following uses have been proposed for Subarea 2:

- Three retail stores along the Alexander Street frontage
- An existing multi-story building will be utilized for office space, as will a new building
- Residential units throughout the complex
- 720 space on-site parking garage to serve tenants and visitors
- A new interior street, as well as landscaping, lighting, sidewalks and greenspace

It is anticipated that construction of Subarea 2 will take three to five years, with most of the infrastructure being completed in the initial stage. Individual buildings will be constructed as driven by demand and economic conditions. When construction is complete, it is anticipated that Subarea 2 will have 214,000 square feet of office space, 14,000 square feet of retail space and 172 residential units.

The City Planning Commission held an informational meeting on this proposed rezoning on Monday, February 10, 2014. There were no speakers in support or in opposition to the rezoning. By a vote of 4-0, the Planning Commission recommended approval.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-20

Ordinance No. 2014-37
(Int. No. 62)

Changing The Zoning Classification Of 330-350 Monroe Avenue, 218-224 Alexander Street and 230-250 Alexander Street From Institutional Planned Development #3 Genesee Hospital To C-2 Community Center District

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

Section 1. Chapter 120 of the Municipal Code,

Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcels, constituting 330-350 Monroe Avenue, 218-224 Alexander Street and 230-250 Alexander Street from Institutional Planned Development #3 Genesee Hospital to C-2 Community Center District.

All that tract or parcel of land containing 17.79 acres, more or less, situate east of Alexander Street, south of Tracy Street, west of Averill Avenue and north of Monroe Avenue in the City of Rochester, County of Monroe, State of New York, as shown hereon and being more particularly bounded and described as follows:

Beginning at the intersection of the centerline of Alexander Street (66 foot wide right-of-way) with the centerline of Tracy Street (34 foot wide right-of-way); thence

1. S 89°45'16" E, along the centerline of Tracy Street, a distance of 441.11 feet to an angle point; thence
2. S 88°48'09" E, along a line, a distance of 207.08 feet to an angle point; thence
3. S 87°49'56" E, along the centerline of Tracy Street (27' wide right-of-way), a distance of 85.00 feet to a point, said point being the intersection of Tracy Street centerline and the northwest corner of lands of now or formerly Tuthill; thence
4. S 01°23'39" W, along the westerly line of lands of said Tuthill, a distance of 100.87 feet to a point, said point being the southwest corner of lands of said Tuthill; thence
5. S 88°32'41" E, along the southerly line of lands of said Tuthill and lands of now or formerly Genesee Hospital, a distance of 72.00 feet to a point; thence
6. S 01°23'39" W, along the westerly line of lands of now or formerly Ackerman, a distance of 50.00 feet to a point; thence
7. S 88°32'41" E, along the southerly line of lands of said Ackerman, a distance of 11.98 feet to a point; thence
8. S 01°23'39" W, along the westerly line of lands of now or formerly Genesee Hospital, a distance of 50.00 feet to a point; thence
9. S 88°32'41" E, along the southerly line of said Genesee Hospital, a distance of 17.00 feet to a point; thence
10. S 01°23'39" W, along the westerly line of lands of now or formerly Birch, Starr, Sud and Farrell Development, Inc., a total distance of 169.63 feet to a point;

thence

11. N 88°43'34" W, along the northerly line of lands of now or formerly Farrell Development Inc., a distance of 32.00 feet to a point; thence
12. S 01°23'39" W, along the westerly line of lands of now or formerly Farrell Development Inc., lands now or formerly Locurto and Chesis and lands now or formerly Szczerba, a total distance of 69.41 feet to a point; thence
13. N 88°22'34" W, along the northerly line of lands of now or formerly Morris, a distance of 176.68 feet to a point, said point being on intersection of the centerline of Averill Avenue (50' wide right-of-way) and lands of now or formerly Morris; thence
14. S 01°36'12" W, along the centerline of said Averill Avenue, a distance of 792.69 feet to a point being the intersection of the centerline of Averill Avenue and the centerline of Monroe Avenue; thence
15. N 73°03'13" W, along the centerline of Monroe Avenue, a distance of 617.62 feet to a point being the intersection of the centerline of Alexander Street and the centerline of Monroe Avenue; thence
16. N 00°00'11" W, along the centerline of Alexander Street, a distance of 1,052.21 feet to the Point of Beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 59 from Committee.

The motion was seconded by Councilmember Spaul.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-38
Re: Agreement - Rochester Land Bank Corporation, Shared Services

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester Land Bank Corporation (Land Bank) for certain services to be provided by the City.

The formation of the Land Bank was approved via Ordinance No. 2012-416 as a legal corporation and operates, similar to the Rochester Economic Development Corporation, without a separate staffing

structure and governed by a board of directors.

In October 2013, the Land Bank was awarded \$2.78 million by the New York State Office of the Attorney General (OAG) for the Community Revitalization Initiative Program. These funds will be used by the Land Bank in partnership with the Rochester Housing Development Fund Corporation to acquire and rehabilitate 50 vacant homes for sale to owner-occupants through the Home Rochester program. The term of the grant agreement is 24 months and, once executed, will be retroactive to January 1, 2014. In order to execute the grant agreement, the Land Bank must demonstrate to the OAG that it has the capacity to accomplish the project goals.

The agreement proposed herein will demonstrate that capacity to the OAG, and will provide required support for the continued operation of the Land Bank. The City services will primarily include those that are already undertaken on a routine basis and are included in the budget (e.g., term agreements for appraisals and environmental assessments). The cost of any additional liability and casualty insurance required for the Land Bank is being researched; estimates will be forwarded to Council prior to the February 25, 2014 meeting.

Services to be provided by the City to the Land Bank will include:

- Shared staffing and office space, supplies, materials and equipment
- Property maintenance equivalent to that provided for City-owned real estate
- Legal, dispute resolution, financial, and appraisal services
- Marketing and promotion assistance
- Information technology, including telephone and internet support
- Technical assistance of real estate staff
- Environmental costs required prior to disposing of the property
- Payment of charges attributable to the property during the period of the Land Bank ownership
- Liability insurance for Land Bank activities and casualty insurance for real property owned by the Land Bank

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-21

Ordinance No. 2014-38
(Int. No. 59)

Authorizing A Shared Services Agreement

With The Rochester Land Bank Corporation

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

Section 1. The Mayor is hereby authorized to enter into a shared services agreement with the Rochester Land Bank Corporation for the City to provide staff assistance, office space, supplies, financial services, administrative support, and other types of assistance to the Rochester Land Bank Corporation. Said agreement shall also provide for cooperation between the City and the Rochester Land Bank Corporation in carrying out the mission of the Land Bank and in carrying out the development strategies and policies of the City.

Section 2. The shared services agreement shall have a term of five years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 44
Re: Zoning Map Amendment - Re-Zoning
375, 405, 415-425 W. Ridge Road and
1760 Dewey Avenue

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the four properties described below from Eastman Business Park Planned Development District (PD #12) to C-3 Regional Center District.

<u>Address</u>	<u>Current Legal Use</u>	<u>Owner</u>
375 W. Ridge Road	Vacant commercial land	Eastman Kodak
415-425 W. Ridge Road	Restaurant	Peppermill Restaurant
405 W. Ridge Road	Parking lot	Peppermill Restaurant
1760 Dewey Avenue	Parking lot	Peppermill Restaurant

The applicant, Jeff Szkolnik, represents Fastrac Markets, which is proposing to buy the property at 375 West Ridge Road for the construction of a Fastrac market with gas sales and a small café. The current zoning, Eastman Business Park PD#12, does not permit the proposed use. The applicant is proposing to rezone this property and the other three properties at the corner, which are owned by the Peppermill Restaurant, to C-3 Regional Center District. Kodak representatives and the owners of the Peppermill Restaurant have all consented to the rezoning.

Rezoning these four properties to C-3 would be the

logical extension of the current C-3 District located to the north and west of the subject properties. In addition, prior to being included as part of the Eastman Business Park PD in 2010, these four properties were zoned C-3. Re-zoning to C-3 will allow a number of permitted uses as summarized in the attached list.

The City Planning Commission held an informational meeting on this proposed rezoning on Tuesday, January 14, 2014. Four people spoke in support of the rezoning; two spoke in opposition. By a vote of 5-0, the Planning Commission recommended approval. The minutes and recommendation are attached.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 44

CHANGING THE ZONING CLASSIFICATION OF 375, 405, AND 415-425 WEST RIDGE ROAD AND 1760 DEWEY AVENUE FROM EASTMAN BUSINESS PARK PLANNED DEVELOPMENT DISTRICT (PD #12) TO C-3 REGIONAL CENTER DISTRICT

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcels, constituting 375, 405, and 415-425 West Ridge Road and 1760 Dewey Avenue from Eastman Business Park Planned Development District (PD #12) to C-3 Regional Center District:

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 26, Township 1, South Range, and being more particularly bounded and described as follows:

Beginning at the centerline intersection of Dewey Avenue (100' ROW) and West Ridge Road (99' ROW), said intersection being the Point or Place of Beginning; thence

- 1) S 59° 51' 51" E, along said centerline of West Ridge Road, a distance of 743 feet, more or less, to an angle point; thence
- 2) S 51° 01' 51" E, continuing along said centerline of West Ridge Road, a distance of 102 feet, more or less, to a point at right angles to the northeast corner of Lot R-2A of the Eastman Kodak Resubdivision, as filed in the Monroe County Clerk's Office in Liber 339 of Maps, Page 32; thence
- 3) S 38° 58' 09" W, at right angles to said centerline, a distance of 49.50 feet to the

said northeast corner of said Lot R-2A; thence

- 4) N 67° 55' 59" W, along the south line of said Lot R-2A, a distance of 82.10 feet to an angle point; thence
- 5) S 78° 52' 20" W, continuing along said Lot R-2A, a distance of 78.50 feet to an angle point; thence
- 6) S 67° 16' 00" W, continuing along said Lot R-2A, a distance of 84.55 feet to an angle point; thence
- 7) S 89° 02' 54" W, continuing along said Lot R-2A, a distance of 149.50 feet to an angle point; thence
- 8) S 89° 56' 17" W, continuing along said Lot R-2A, a distance of 136.01 feet to an angle point; thence
- 9) S 80° 20' 47" W, continuing along said Lot R-2A, a distance of 80.34 feet to an angle point; thence
- 10) S 27° 50' 21" W, continuing along said Lot R-2A, a distance of 92.46 feet to a point on the easterly ROW line of said Dewey Avenue and being the southwest corner of said Lot R-2A; thence
- 11) N 89° 54' 55" W, at right angles to said ROW line of Dewey Avenue, a distance of 50.00 feet to the said centerline of Dewey Avenue; thence
- 12) N 00° 05' 05" E, along said centerline of Dewey Avenue, a distance of 589 feet, more or less, to the said centerline of West Ridge Road, being the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Haag
February 25, 2014

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 45 - Authorizing An Agreement With The New York State Department Of Transportation For Snow Removal

Int. No. 46 - Authorizing A Grant Agreement With Genesee Region Clean Communities To Fund The Purchase Of Alternative Fuel Vehicles

Int. No. 47 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$1,250,000 Bonds Of Said City To Finance The

Reconstruction Of Various Water Mains Related To The 2014 Water Main Cleaning And Lining Program In The City

Int. No. 48 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$216,000 Bonds Of Said City To Finance The Additional Cost Of Planning And Implementing Repairs To The Rundel Memorial Building Of The Rochester Public Library

Int. No. 49 - Amending Ordinance 2012-213 For The City Hall Green Pervious Parking Lot Project

Int. No. 50 - Authorizing The Acquisition By Donation Of Real Estate And Permanent Easements And Temporary Easements For The Inner Loop East Transformation Project, As Amended

Int. No. 51 - Authorizing Participation In The Inner Loop East Transformation Project

Int. No. 63 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$89,000 Bonds Of Said City To Finance The Reconstruction Of Various Water Mains In The City Related To The Brentwood Street Group Project

Int. No. 64 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$412,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Streets As A Part Of The Brentwood Street Group Project In The City

The following entitled legislation is being held in Committee:

Int. No. 52 - Approving Geometric Changes And Changes In The Pavement Width Of Thurston Road As Part Of The Thurston Road Revitalization Project

Int. No. 53 - Changing The Traffic Flow On Dunn Street Between Hudson Avenue And Roser Street From Two-Way To Westbound One-Way

Respectfully submitted,
Matt Haag
Elaine M. Spaul
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-39
Re: Agreement - New York State DOT,
Snow and Ice Removal

Transmitted herewith for your approval is legislation authorizing a one-year extension of an existing agreement with the New York State Department of Transportation (NYSDOT) for the provision by the

City of snow and ice removal services on the following two State highways:

- Lake Avenue, from Lyell Avenue to West Ridge Road
- Plymouth Avenue, from Commercial Street to Troup Street

The total length of these two streets is 2.7 miles. The City has provided these services since 1978 pursuant to periodic agreements with the State, most recently in February 2013 (Ord. No. 2013-48). This legislation will extend the agreement to June 30, 2016, as required by the NYSDOT. This agreement for Plymouth Avenue remains necessary until the State transfers jurisdiction to the City.

The State will reimburse the City \$60,145.91 for snow and ice removal performed during the 2013-14 winter season, which is \$975.63 more than the prior year.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-39
(Int. No. 45)

Authorizing An Agreement With The New York State Department Of Transportation For Snow Removal

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

Section 1. The Mayor is hereby authorized to enter into a one-year extension of an agreement with the New York State Department of Transportation for the provision by the City of snow and ice removal services on Lake Avenue, from Lyell Avenue to West Ridge Road, and on Plymouth Avenue, from Commercial Street to Troup Street, through June 30, 2016. The agreement shall obligate the State to reimburse the City for such services.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-40
Re: Agreement - Genesee Region Clean Communities, Alternative Fuel Vehicles Grant

Transmitted herewith for your approval is legislation authorizing an agreement with Genesee Region Clean Communities (GRCC) for the receipt and use of a of \$200,000 grant for the purchase of alterna-

tive fuel vehicles. GRCC is the local coalition designated by the US Department of Energy to support alternative fuel vehicles. These particular funds, received through a grant from GRCC, are part of the Federal Highway Administration Congestion Mitigation and Air Quality Improvement (CMAQ) Program, and are administered by the New York State Energy Research and Development Authority (NYSERDA).

This grant provides reimbursement to the City for 75% of the difference in cost for compressed natural gas (CNG) vehicles instead of diesel or gasoline vehicles. The table below lists the incremental cost and grant reimbursements for CNG vehicles that will replace planned purchases of traditional vehicles.

Vehicle	Quantity	Estimated Incremental Cost	Reimbursement
Honda Civic LX CNG Sedan 2014	2	\$ 13,100	\$ 9,825
Chevy 2500 CNG Cargo Van 2014	3	41,160	30,870
Elgin Pelican CNG Sweeper 2014	3	179,352	134,514
Chevy 4x4 2500 CNG Pickup 2014	3	30,000	22,500
Total		\$263,612	\$197,709

Fuel for these vehicles will be available at the City's new Green Fuel Station located at 945 Mt. Read Blvd. Using CNG instead of gasoline and diesel fuel reduces greenhouse gas emissions produced by the City fleet, which is one of the goals set forth in the City's 2009 Resolution in Support of Environment and Climate Protection Actions.

Additional information on cost and emission efficiencies is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-22

Ordinance No. 2014-40
(Int. No. 46)

Authorizing A Grant Agreement With Genesee Region Clean Communities To Fund The Purchase Of Alternative Fuel Vehicles

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

Section 1. The Mayor is hereby authorized to enter into an agreement in the amount of \$200,000 with Genesee Region Clean Communities to fund the purchase of alternative fuel vehicles.

Section 2. The agreement shall contain such

additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-41
Re: Bond Authorization - 2014 Water Main Cleaning and Lining Program

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$1,250,000 and appropriating the proceeds thereof to fund the 2014 Water Main Cleaning and Lining Program.

The proposed bonds will finance a portion of the cost to rehabilitate approximately five and one-half miles of City water mains. This rehabilitation method consists of cleaning the interior of existing water mains and installing a corrosion-resistant lining to restore hydraulic capacity, improve available fire flows and water quality, and extend the useful life of the mains. Program funds were identified in the 2012-13 and 2013-14 Capital Improvement Programs.

The total cost of the project is estimated to be \$1,450,000. The balance of funding, \$200,000, will be financed from 2013-14 Cash Capital (Water Fund).

A list of affected streets and a map of the area are attached. The improvements are scheduled to begin this spring and be completed by the fall. Project inspection services will be performed by City staff.

This project results in the creation and/or retention of the equivalent of 15.7 full time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-23

Ordinance No. 2014-41
(Int. No. 47)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$1,250,000 Bonds Of Said City To Finance The Reconstruction Of Various Water Mains Related To The 2014 Water Main Cleaning And Lining Program In The City

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of water mains as part of the 2014 Water Main

Cleaning and Lining Program in the City (the "Project"), including but not limited to water mains in the locations set forth herein. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,450,000. The plan of financing includes the issuance of \$1,250,000 bonds of the City, and said amount is hereby appropriated therefor, together with the application of \$200,000 from current City funds, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

2014 Water Main Cleaning And Lining Program

<u>Street Name</u> <u>From</u>	<u>To</u>
Aqueduct Street	
East Main Street	Bank Place
Blakeslee Street	
North Goodman Street	Norton Village Lane
Bleacker Road	
Densmore Street	Norton Street
Bricker Street	
Traver Circle	Norton Street
Claybrook Street	
Clifford Avenue	Fernwood Park
Corrigan Street	
Lake Avenue	Estes Street
Crossfield Road	
Densmore Street	Norton Street
Culver Road	
Clifford Avenue	Master Street
Densmore Street	
Waring Road	Crossfield Road
Elbert Street	
Waring Road	Bleacker Road
Elm Place	
Gray Street	Blakeslee Street
Fernwood Park	
Greenlane Drive	Woodman Park
Fieldwood Drive	
North Goodman Street	Lyceum Street
Graves Street	
East Main Street	Race Street
Gray Street	
North Goodman Street	Traver Circle
Greenlane Drive	
Clifford Avenue	Fernwood Park
Kilmar Street	
Norton Street	NYS Route 104
Lancraft Street	
Woodman Park	Culver Road
Marne Street	
North Goodman Street	Lyceum Street
Meredith Street	
Woodman Park	Culver Road
Patt Street	
Gray Street	Blakeslee Street
Race Street	
Aqueduct Street	Graves Street
Revilla Street	
Clifford Avenue	Fernwood Park
River Heights Circle	
South End	North End

South Union Street	
Monroe Avenue	Canfield Place
Walbar Street	
Clifford Avenue	Fernwood Park
Woodman Park	
Clifford Avenue	Culver Road
Yates Street	
Bricker Street	Traver Circle

Section 2. Bonds of the City in the principal amount of \$1,250,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

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

Section 4. The period of probable usefulness of the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

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

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

delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-42
Re: Bond Authorization - Rundel Library
Structural Repairs

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$216,000 and appropriating the proceeds thereof to finance Phase 3b of the Rundel Library structural repairs.

The entire project consists of five phases (1, 2, 3a, 3b, and 3c), as shown on the attached diagram. Phase 3b includes the waterproofing and reconstruction of the loading dock on Court Street. The existing asphalt topping will be removed, the concrete deck will be repaired in areas, a waterproofing membrane will be installed onto the concrete deck, and a new asphalt topping will be installed. Design for this project was provided by TY LIN International (Ord. No. 2013-67).

Bids for construction were received on January 16, 2014. The apparent low bid of \$176,970 was submitted by Heaster Building Restoration which is 19% less than the engineer's estimate. An additional \$39,030 will be allocated for project contingencies and to cover expenses to lease temporary space for loading during construction.

Construction will commence in spring 2014 and be

completed in fall 2014. The project will result in the creation/retention of the equivalent of 1.9 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-24

Ordinance No. 2014-42
(Int. No. 48)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$216,000 Bonds Of Said City To Finance The Additional Cost Of Planning And Implementing Repairs To The Rundel Memorial Building Of The Rochester Public Library

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the additional cost of planning and implementing repairs to the Rundel Memorial Building of the Rochester Public Library at 115 South Avenue in the City, including removal of asphalt topping, placement of a waterproofing membrane onto the concrete deck, repairs to concrete and installation of new asphalt topping (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$216,000. The plan of financing includes the issuance of \$216,000 bonds of the City, and said amount is hereby appropriated therefor, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$216,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$216,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a.12(a)(1) of the Local Finance Law, is twenty (20) years.

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-43
Re: Amending Ordinance No. 2012-213

Transmitted herewith for your approval is legislation amending Ordinance No. 2012-213 to change the source of funding for the compensation authorized therein for an agreement with Barton & Loguidice, P.C. for design services related to the installation of a pervious surface parking lot at City Hall.

The \$55,000 amount was originally to be funded from a Water Quality Improvement Program grant received from the New York State Department of Environmental Conservation. However, it has since been determined that design costs are not an eligible grant expense. The design agreement will instead be funded from prior years' Cash Capital.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-43
(Int. No. 49)

Amending Ordinance No. 2012-213 For The City Hall Green Pervious Parking Lot Project

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

Section 1. Ordinance No. 2012-213 is hereby amended to read as follows:

The sum of \$55,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Barton & Loguidice, P.C. for engineering design services for the City Hall Green Pervious Parking Lot Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from [New York State Department of Environmental Conservation Water Quality Improvement Program Grant Funds appropriated in Section 3 of Ordinance No. 2011-37] the prior year cash capital budget of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Deleted text is in brackets [], added text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-44 and
Ordinance No. 2014-45
Re: Inner Loop East Transformation Project

Transmitted herewith for your approval is legislation related to the Inner Loop East Transformation Project. This legislation will:

1. Authorize agreements with the US Department of Transportation (DOT), the Federal Highway Administration (FHWA) and the New York State Department of Transportation (NYSDOT) to participate in and administer the project.
2. Authorize acceptance of the conveyance from NYSDOT, by quit claim deed, of lands which were previously appropriated by the State for the Inner Loop but which are no longer needed by the State as a result of the Inner Loop East Transformation Project.
3. Authorize the acquisition by donation of eight permanent easements described below:

<u>Address</u>	<u>Approx. Area</u>
<u>Property Owner</u>	
216 Monroe Avenue 109 S Union St	48 SF
111 South Union Street 109 S Union St	810 SF
321 East Avenue Christian Bethel Fellowship Rochester	2,690 SF
321 East Avenue Christian Bethel Fellowship Rochester	61 SF
292 East Avenue Bethel Full Gospel Church	32 SF
1 Manhattan Square Drive Margaret Woodbury Strong Museum	1,216 SF
1 Manhattan Square Drive Margaret Woodbury Strong Museum	4,316 SF
68-70 North Union Street Carl Zizzo/Richard Winterroth	50 SF

4. Authorize the acquisition by donation of eight temporary easements described below:

<u>Address</u>	<u>Approx. Area</u>
<u>Property Owner</u>	
111 South Union Street 109 S Union St	351 SF
321 East Avenue Christian Bethel Fellowship Rochester	2,687 SF
321 East Avenue Christian Bethel Fellowship Rochester	1,600 SF
255 Chestnut Street ESL Federal Credit Union	792 SF
1 Manhattan Square Drive Margaret Woodbury Strong Museum	78 SF
1 Manhattan Square Drive Margaret Woodbury Strong Museum	70 SF
1 Manhattan Square Drive Margaret Woodbury Strong Museum	11,503 SF
1 Manhattan Square Drive Margaret Woodbury Strong Museum	10,607 SF

The permanent and temporary easements are illustrated in the attached maps.

This project will remove the aging 50-year old eastern segment of the Inner Loop expressway between Broadway and Richmond Street and replace it with appropriately-scaled, complete streets

along Howell Street, South Union Street, and North Union Street. These new at-grade streets will enhance the area's livability, allowing people to walk and bicycle between neighborhoods and downtown more easily. Removing this portion of the Inner Loop will result in approximately 5.8 acres of new sites for redevelopment in the East End, one of Rochester's most important downtown districts.

The Inner Loop East Transformation project was awarded \$17.7 million in 2013 Transportation Investment Generating Economic Recovery (TIGER) discretionary grant funding, and is one of only 52 transportation projects nationwide to receive TIGER funding. Total construction cost, including RPR and contingency, is estimated at \$27.3 million. The anticipated funding will be included in the proposed 2014-15 Budget, except for the water funds which are currently contained within water funding for the transportation program. Anticipated funding is as follows:

<u>Source</u>	<u>Construction</u>	<u>RPR & PLA</u>
	<u>Total</u>	<u>Monitoring</u>
	<u>Contingency</u>	
Federal TIGER	\$17,406,200	\$ 293,800
\$ -0-	\$17,700,000	
General debt	3,463,700	2,513,940
1,385,500	7,363,140	
Water debt	448,700	142,200
80,900	671,800	
Anticipated MCDOT	180,600	123,310
72,200	376,110	
Anticipated MCPW	566,600	386,650
226,600	1,179,850	
Total	\$22,065,800	\$3,459,900
\$1,765,200	\$27,290,900	

NYSDOT will convey the surplus lands by quit claim deed, which will enable the City to solicit redevelopment proposals for the land. State and Federal funds provided 50% of the cost of acquiring the land when the Inner Loop was constructed. Transfer of the land to any developers will require the City to sell the parcels at fair market value subject to prior approval by the NYSDOT in order to ensure that NYSDOT and/or FHWA recoups the 50% interest in the properties.

Bringing the roadway to grade level can be accomplished without any private acquisitions. However, the proposed easements will enhance right-of-way access to certain properties and for pedestrians. The owners of the subject properties have all agreed to donate the easements. Amending the Official Map to include these easements will be submitted in a future Council request.

Design of the project, authorized by Ordinance No. 2012-82, is anticipated to be completed in summer 2014. Construction of the project will begin in fall 2014 and will be completed by fall 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-25

Ordinance No. 2014-44
(Int. No. 50, As Amended)

Authorizing The Acquisition By Donation Of Real Estate And Permanent Easements And Temporary Easements For The Inner Loop East Transformation Project

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

Section 1. The Council hereby approves the acquisition by donation of the following parcel of real property and permanent easements and temporary easements for street purposes as a part of the Inner Loop East Transformation Project:

Real property to be acquired by donation at 1 Manhattan Square Drive:

<u>SBL</u> Property Owner	<u>Approximate PE Area</u>
<u>121.33-01-5</u> <u>Margaret Woodbury Strong Museum</u>	<u>1,216 SF</u>

Permanent easements:

SBL Property Owner	Approximate PE Area
121.41-02-6 109 S Union St	48 SF
121.41-02-2 109 S Union St	810 SF
121.33-01-9.3 Christian Bethel Fellowship Rochester	2,690 SF
121.33-01-9.3 Christian Bethel Fellowship Rochester	61 SF
121.25-01-42 Bethel Full Gospel Church	32 SF
121.33-01-5 Margaret Woodbury Strong Museum	1,216 SF
121.33-01-5 Margaret Woodbury Strong Museum	4,316 SF
106.82-03-30 Zizzo, Carl/Winterroth, Richard	50 SF

Temporary easements:

SBL Property Owner	Approximate TE Area
121.41-02-2 109 S Union St	351 SF
121.33-01-9.3 Christian Bethel Fellowship Rochester	2,687 SF
121.33-01-9.3 Christian Bethel Fellowship Rochester	1,600 SF
121.40-01-21.2 ESL Federal Credit Union	792 SF
121.33-01-5 Margaret Woodbury Strong Museum	78 SF
121.33-01-5 Margaret Woodbury Strong Museum	70 SF
121.33-01-5 Margaret Woodbury Strong Museum	11,503 SF
121.33-01-5 Margaret Woodbury Strong Museum	10,607 SF

121.33-01-6 1,900 SF
Rochester Urban Renewal Agency

Section 2. This ordinance shall take effect immediately.

New text is underlined, strikeout indicates deleted text

Passed unanimously.

Ordinance No. 2014-45
(Int. No. 51)

Authorizing Participation In The Inner Loop East Transformation Project

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

Section 1. The Council hereby approves participation by the City in the Inner Loop East Transformation Project.

Section 2. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation, the United States Department of Transportation and the Federal Highway Administration as may be necessary for the City to participate in and administer the Projects, including but not limited to a grant agreement with the New York State Department of Transportation to accept a grant of \$17.7 million from the Transportation Investment Generating Economic Recovery Program.

Section 3. The Mayor is also hereby authorized to enter into agreements with the New York State Department of Transportation (NYSDOT) for the NYSDOT to convey the surplus lands upon which the Inner Loop East is located to the City by quitclaim deed.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-46 and
Ordinance No. 2014-47
Re: Brentwood Street Group - Funding

Transmitted herewith for your approval is legislation related to The Brentwood Street Group Project. This legislation will:

1. Authorize the issuance of bonds totaling \$412,000 and the appropriation of the proceeds thereof to partially finance the street portion of the Project.
2. Authorize the issuance of bonds totaling

\$89,000 and the appropriation of the proceeds thereof to partially finance the water portion of the Project.

The project includes: new granite stone curbs, spot concrete sidewalk replacement, driveway aprons, catch basin adjustments or replacements, replacement of lead water services, tree removal and replacement, and the milling and resurfacing of Juniper Street.

A recessed parking area will be added in front of the U.S. Post Office located at 130 N. Winton Road near the west end of Brentwood Street. The associated pavement width change was previously authorized via Ordinance 2013-426.

Bids for construction were received on February 4, 2014. The apparent low bid of \$487,419 was submitted by Roman Construction Development Corp. (Pendleton, NY), which is 9.9% less than the engineer's estimate. An additional \$52,781 will be allocated for project contingencies and tree plantings.

The costs sources of funding for the project are summarized below.

<u>Funding Source</u>	<u>Construction</u>	<u>Contingency</u>	<u>Total</u>
Street bond	\$405,924	\$ 6,076	\$412,000
Water bond	81,095	7,905	89,000
2011-12 Cash Capital	400	38,800	39,200
Total	\$487,419	\$52,781	\$540,200

Construction will begin in spring 2014, with substantial completion by summer 2014. The project will result in the creation/retention of the equivalent of 5.9 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-26

Ordinance No. 2014-46
(Int. No. 63)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$89,000 Bonds Of Said City To Finance The Reconstruction Of Various Water Mains In The City Related To The Brentwood Street Group Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of certain water mains related to the Brentwood Street Group Project in the City (the "Project") on the streets listed herein. The estimated maximum cost of said class of objects or

purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$89,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$89,000 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Brentwood Street Group Project:

- Brentwood Street between Winton Road and Shirley Street
- Balsam Street between Winton Road and Arbdorale Avenue
- Juniper Street between Winton Road and Arbdorale Avenue
- Winton Road near the intersection with Brentwood Street

Section 2. Bonds of the City in the principal amount of \$89,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$89,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authori-

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

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

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

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

Passed unanimously.

Ordinance No. 2014-47
(Int. No. 64)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$412,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Streets As A Part Of The Brentwood Street Group Project In The City

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the construction and reconstruction of certain streets as a part of the Brentwood Street Group Project, including improvements to the streets in the City listed herein (the "Project"). The total currently estimated

maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$451,200. The plan of financing includes the issuance of \$412,000 bonds of the City, and said amount is hereby appropriated therefor, together with the application of \$39,200 in current City funds, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Brentwood Street Group Project:

Brentwood Street between Winton Road and Shirley Street
Balsam Street between Winton Road and Arbdordale Avenue
Juniper Street between Winton Road and Arbdordale Avenue
Winton Road near the intersection with Brentwood Street

Section 2. Bonds of the City in the principal amount of \$412,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in an amount not to exceed the estimated maximum cost. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a. 20(c) of the Law, is fifteen (15) years.

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 52
Re: Thurston Road Revitalization Project -
Geometric Changes

Transmitted herewith for your approval is legislation authorizing geometric changes on Thurston Road (from Brooks Avenue to Ravenwood Avenue) as part of the Thurston Road Revitalization Project. The specific changes are detailed in the attached legislation.

The project includes street improvements and enhancements, pedestrian level lighting, and a gateway feature. Funding for the project was appro-

priated via Ordinance No. 2012-447 as part of the Capital Project Acceleration Initiative. Design services for the project were authorized via Ordinance No. 2013-192. The current estimate for cost of construction is \$1,652,000.

The geometric changes comply with the City's Complete Streets Policy and encourage pedestrian traffic by narrowing the crossing distance at the described corners, and installing curbed bumpouts to calm traffic.

A public informational meeting was conducted on December 17, 2013. The minutes of that meeting are attached. Construction is anticipated to begin in summer 2014 with scheduled completion in fall 2014.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 52

APPROVING GEOMETRIC CHANGES AND CHANGES IN THE PAVEMENT WIDTH OF THURSTON ROAD AS PART OF THE THURSTON ROAD REVITALIZATION PROJECT

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

Section 1. The Council hereby approves the following changes in the pavement width of Thurston Road as part of the Thurston Road Revitalization Project:

Geometric Changes
Thurston Road Revitalization Project

1. Pavement width changes on Thurston Road from Brooks Avenue to Ravenwood Avenue:
 - a. Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 59 feet south of the center line of Margaret Street to 34 feet north of the center line of Margaret Street;
 - b. Along the west and east curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from 34 feet north of the center line of Margaret Street to 107 feet north of the center line of Margaret Street;
 - c. Along the east curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 12 feet south of the center line of Dunbar Street (107 feet north of the center line of Margaret Street) to 71 feet north of the center line of Dunbar Street;

- d. Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 45 feet south of the center line of Rosalind Street to 26 feet north of the center line of Rosalind Street;
 - e. Along the east and west curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from 38 feet south of the center line of Ellicott Street (26 feet north of the center line of Rosalind Street) to 22 feet south of the center line of Ellicott Street;
 - f. Along the east curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 22 feet south of the center line of Ellicott Street to 54 feet north of the center line of Ellicott Street;
 - g. Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 94 feet south of the center line of Midvale Terrace to 32 feet north of the center line of Midvale Terrace;
 - h. Along the east and west curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from 80 feet south of the center line of Enterprise Street (32 feet north of the center line of Midvale Terrace) to 24 feet south of the center line of Enterprise Street;
 - i. Along the east curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 24 feet south of the center line of Enterprise Street to 66 feet north of the center line of Enterprise Street;
 - j. Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 84 feet south of the center line of Hillendale Street to 64 feet north of the center line of Hillendale Street;
 - k. Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 117 feet south of the center line of Raeburn Avenue to 105 feet south of the center line of Raeburn Avenue;
 - l. Along the east and west curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from the center line of Flanders Street (105 feet south of the center line of Raeburn Avenue) to 64 feet north of the center line of Flanders Street;
 - m. Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 41 feet south of the center line of Raeburn Avenue (64 feet north of the center line of Flanders Street) to 84 feet north of the center line of Raeburn Avenue;
 - n. Along the east curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 58 feet south of the center line of Anthony Street to 34 feet south of the center line of Anthony Street;
 - o. Along the west and east curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from 68 feet south of the center line of Lehigh Avenue (34 feet south of the center line of Anthony Street) to the center line of Lehigh Avenue;
 - p. Along the east curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 53 feet north of the center line of Anthony Street (the center line of Lehigh Avenue) to 87 feet north of the center line of Anthony Street;
 - q. Along the east and west curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from 53 feet north of the center line of Anthony Street (the center line of Lehigh Avenue) to 87 feet north of the center line of Anthony Street;
 - r. Along the east and west curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from the center line of Ravenwood Avenue to 88 feet north of the center line of Ravenwood Avenue;
 - s. Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 488 feet north of the center line of Ravenwood Avenue to 107 feet north of the center line of Ravenwood Avenue.
- Section 2. The changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.
- Section 3. This ordinance shall take effect immediately.
- Held in Committee.
- TO THE COUNCIL
Ladies and Gentlemen:
- Introductory No. 53
Re: Authorizing a Traffic Flow Change -

Dunn Street One-Way Westbound

Transmitted herewith for your approval is legislation which will authorize a change in the direction of traffic flow on Dunn Street between Hudson Avenue and Roser Street from two-way traffic to one-way westbound traffic.

This change is requested by City staff in response to a recommendation from the Monroe County Department of Transportation which recently conducted a high-accident study at the intersection of Dunn Street and Hudson Avenue. The persistent high accident rate there is attributable to vehicles entering Hudson Avenue from Dunn Street. The intersection averages more than one dangerous right angle accident annually. To mitigate this safety concern, MCDOT recommends that Dunn Street be converted to one-way westbound, away from Hudson Avenue.

Removing the eastbound approach to Hudson will eliminate half of the right angle collisions that occur at the intersection and may also improve conditions for the east leg of Dunn Street. Eastbound traffic destined to Hudson Avenue will logically be redirected to the Route 104 eastbound frontage road. This would result in a negligible increase in travel distance, but a much improved safety condition. Impacts to the gas station at the corner of Dunn and Hudson are also minor.

A Traffic Change Alert was sent to property owners along Dunn Street and Roser Street; no negative feedback was received during the month-long comment period. The change to westbound one-way was endorsed by the City Traffic Control Board at its January 7, 2014 meeting.

A public hearing on the traffic flow change is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 53

CHANGING THE TRAFFIC FLOW ON DUNN STREET BETWEEN HUDSON AVENUE AND ROSER STREET FROM TWO-WAY TO WESTBOUND ONE-WAY

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Dunn Street between Hudson Avenue and Roser Street from two-way to Westbound one-way.

Section 2. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember McFadden
February 25, 2014

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 54 - Establishing Maximum Compensation For An Agreement For Emergency Telephone Notification System Services

Int. No. 55 - Amending Ordinance No. 2013-210 And Ordinance No. 2013-390 With Respect To Professional Services Agreements For Veterinary Services

Int. No. 56 - Authorizing An Agreement For An Explosive Detection Canine Team Grant

Int. No. 57 - Authorizing An Agreement For A Tactical Team Targeted Grant

Int. No. 58 - Authorizing An Agreement With The County Of Monroe For Funding For Firearms Instruction

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-48
Re: Agreement - Emergency Communications Network, LLC, Emergency Telephone Notification System Services

Transmitted herewith for your approval is legislation establishing \$60,000 as maximum annual compensation for an agreement with Emergency Communications Network, LLC for emergency telephone notification system services. The cost of this agreement will be funded from the 2013-14 Budget of the Emergency Communications Department. The term of this agreement will be for one year, with the option of two one-year renewals. Subsequent costs will be funded from the annual budgets of the Emergency Communications Department, contingent upon approval.

The emergency telephone notification system service enables ECD to assist law enforcement, fire, and EMS agencies by quickly providing warnings and emergency instructions via telephone to large groups of people in the immediate area of a critical incident. The system makes up to three attempts to reach each telephone number within the selected group, and will leave messages on answering machines. Calling campaigns include both listed and unlisted telephone numbers, and both residential and business telephone numbers.

Emergency Communications Network, LLC services include needed equipment as well as its installation and maintenance of the system. Emergency Communications Network, LLC was selected through a request for proposal process described in the attached summary.

The cost of this agreement will be reimbursed by Monroe County under the 9-1-1 Operating Agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-27

Ordinance No. 2014-48
(Int. No. 54)

Establishing Maximum Compensation For An Agreement For Emergency Telephone Notification System Services

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

Section 1. The sum of \$60,000, or so much thereof as may be necessary, is hereby established as the maximum annual compensation to be paid for an agreement between the City and Emergency Communications Network, LLC for the purchase, installation and maintenance of an emergency telephone notification system. The term of the contract shall be for one year, with the option for two one-year renewals. Said amount shall be funded from the 2013-14 Budget of the Emergency Communications Department, and from the annual budgets of that department in future years, contingent upon approval.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-49
Re: Amending Ordinance No. 2013-390 -
Veterinary Services

Transmitted for your approval is legislation amending Ordinance No. 2013-390 to increase the maximum amount allowed for term agreements for veterinary services by \$9,200. Ordinance No. 2013-390 authorized a total of \$77,700 as aggregate compensation for veterinary services required by the Rochester Police Department for 2013-14. This amendment will increase that amount to a total of \$86,900. The additional cost will be funded from the 2013-14 Budget of the Police Department.

Two recent and unanticipated changes in planned veterinarian staffing have resulted in a shortage of necessary services. One veterinarian in a temporary position funded by a grant from ASPCA, has resigned. The \$2,200 remaining in the salary allo-

cation will be used to partially fund the cost of this amendment. And, the on-site shelter veterinarian is on long-term leave.

This amendment will allow routine veterinary services to be provided through the term agreements. This may result in one or more of the term agreements to exceed \$10,000.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-49
(Int. No. 55)

Amending Ordinance No. 2013-210 And Ordinance No. 2013-390 With Respect To Professional Services Agreements For Veterinary Services

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

Section 1. Ordinance No. 2013-210 and Ordinance No. 2013-390, relating to the compensation to be paid for professional services agreements for the provision of veterinary services for the Animal Services Shelter, are hereby amended by increasing the maximum amount from \$77,700 to \$86,900. Said ordinance is further amended to provide that said additional amount shall be funded from the 2013-14 Budget of the Rochester Police Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-50
Re: Agreement - New York State Division
Of Homeland Security and Emergency
Services, 2013 Explosive Detection
Canine Team Grant

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of the 2013 Explosive Detection Canine Team Enhancement Grant in the amount of \$18,200.

These funds will be used for the purchase of equipment for the protection and comfort of the animals, the security of canine materials, and canine handling and training supplies.

This is the third year the Rochester Police Department has received this grant. The term of this grant is November 12, 2013 through August 31, 2015. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-50
(Int. No. 56)

Authorizing An Agreement For An Explosive Detection Canine Team Grant

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for funding for the Rochester Police Department under the 2013 Explosive Detection Canine Team Grant Program.

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

Section 3. The sum of \$18,200 is hereby appropriated from funds to be received under the grant agreement authorized herein to fund the purchase of equipment and supplies related to the Program.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-51
Re: Agreement - New York State Division Of Homeland Security And Emergency Services, Tactical Team Targeted Grant

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of a Tactical Team Targeted grant in the amount of \$99,600.

This grant will be used to purchase equipment for the Rochester Police Department Emergency Task Force/SWAT team. Various equipment has been identified by the Division of Homeland Security and Emergency Services as necessary to meet standards intended to optimize the performance of tactical teams. The RPD purchases may include such items as a tactical robot, portable thermal detection equipment, body armor, portable breaching tools, a breaching ram, ladders, communication devices and a tactical Explosive Ordnance Disposal disrupter. Purchases will depend on current pricing and specific needs determined by the RPD team.

This is the first time this grant has been received by the Rochester Police Department. The term of this grant is September 1, 2013 through August 31, 2015. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-51
(Int. No. 57)

Authorizing An Agreement For A Tactical Team Targeted Grant

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for funding for the Rochester Police Department for a Tactical Team Targeted Grant in the amount of \$99,600.

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

Section 3. The sum of \$99,600 is hereby appropriated from funds to be received under the grant agreement authorized herein to fund the purchase of equipment and supplies related to the Program.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-52
Re: Inter-Municipal Agreement with Monroe County - Firearms Instruction

Transmitted herewith for your approval is legislation authorizing the continuation of the inter-municipal agreement with Monroe County for the receipt and use of funding for the Firearms Instruction Program in the amount of \$55,675.

The County provides reimbursement for a portion of the salary and benefits of firearms instructors to train officers in Monroe County police agencies. The instruction is provided by RPD officers, assigned to provide shooting range training. No budget amendment is needed as the positions were included in the 2013-14 Budget of the police department.

The term of the agreement is January 1, 2014 through December 31, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-52
(Int. No. 58)

Authorizing An Agreement With The County Of Monroe For Funding For Firearms Instruction

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe

for reimbursement for the 2013-14 Firearms Instruction Program.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 7:57 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
MARCH 25, 2014

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 9

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:

Finance Department

*Lillian Chang

*Brian L. Roulin

*James K. SanFilippo

Emergency Communications

Janice H. Lloyd

Library

*Sharon I. Johnson-Beard

Fire Department

*William J. Curran

*William T. Holtz

Police Department

*Thomas A. Baccanti

**Did not attend meeting.*

APPROVAL OF THE MINUTES

By Councilmember McFadden

RESOLVED, that the minutes of the Regular Meeting of February 25, 2014 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submitted the following:
Administrative Cancellation or Refund of

Erroneous Taxes and Charges (2)
4135-14, 4136-14
Public Disclosure - CDBG Participation
4137-14

The Council submitted a Disclosure of Interest Form from Councilmember Haag on Int. No. 88.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

None presented.

PUBLIC HEARINGS.

Pursuant to law public hearing will now be had on the following matter:

Amending Ordinance 2013-283 Changing The Zoning Classification Of 705 And 707-711 Maple Street And 199, 205, 209-221, 225 And 233 Ames Street From C-1 Neighborhood Center To M-1 Industrial Int. No. 71 No speakers.

Local Improvement Ordinance - Snow Removal At The Public Market Int. No. 78 No speakers.

Local Improvement Ordinance - Security At The Public Market Int. No. 79 No speakers.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

Councilmember Palumbo moved to amend Int. No. 89.

The motion was seconded by Councilmember Spaul.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-53

Transmitted herewith for your approval is an ordinance extending the pilot program for food trucks in certain areas of the City, which was authorized in 2013 by Ordinance 2013-118. The original Ordinance was to expire on December 31, 2013, but was extended to March 31, 2014 by ordinance 2013-399.

The original ordinance called for a report on the pilot program to be completed by December 31, 2013. That report has been drafted and follow-up discussions have begun by a staff working group. The City Clerk has recommended that the pilot be extended further to allow for a full review of all issues. The extension will also assist businesses in making plans for the current year. Therefore I am proposing an extension of the Ordinance to December 31, 2014.

The Ordinance provides for Center City food truck locations to be designated by the City Clerk with approval of the Traffic Control Board and the Chief

of Police. In 2013 three sites were approved, in addition to two existing sites that were "grandfathered" and allowed to continue. There will be six additional sites in 2014. These sites have been approved by the City Clerk and Traffic Control Board as was the case in 2013.

The sites that were approved as Center City food truck locations in 2013 are:

- Broad Street west of South Avenue
- Andrews Street east of Front Street
- State Street south of Morrie Silver Way

Two sites were authorized to continue in 2013 based on prior use ("grandfathered sites"):

- Alexander Street south of East Avenue
- Court Street east of Chestnut Street

The six additional Center City sites that are being considered in 2014 are:

- Elm Street east of South Clinton Avenue
- East Avenue west of Stillson Street
- Bragdon Place west of St Paul Street
- Court Street east of Exchange Boulevard
- Gibbs Street south of Grove Street
- Cascade Drive north of Industrial Street

As was the case in 2013, vendors who wish to operate food trucks in the areas designated under the pilot program will be required to apply and pay a \$750 annual license fee for 2014.

The City Clerk's office will maintain a website identifying all locations that have been approved for food truck vending. The City Clerk, in conjunction with the food truck committee, will conduct an analysis of the program and continue to seek public input prior to issuing recommendations on the food truck program to City Council by October 31, 2014.

This ordinance also amends Chapter 62 of the Municipal Code to prohibit food truck vending in R-1, R-2 and R-3 zoning districts, and to prohibit food truck vending in the Center City vending district from 1:30 AM to 7:00 AM.

Sincerely,
 Loretta C. Scott Carolee A. Conklin
 President Chair, Finance Committee

Ordinance No. 2014-53
(Int. No. 89, As Amended)

Continuing Ordinance No. 2013-118, And Amending Chapter 62 Of The Municipal Code Relating To A Pilot Program For Food Trucks

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

Section 1. Ordinance No. 2013-118, amending Chapter 62 of the Municipal Code, Commercial Travelers, Solicitors and Special Promotional Events, to provide for a pilot program regulating food trucks in certain areas of the City, as amended

by Ordinance No. 2013-399, which is scheduled to expire on March 31, 2014, is hereby continued until ~~December 31~~ April 30, 2014.

Section 2. Section 62-6, General Regulations is hereby amended by adding the following new subsection:

(23) Sell or offer for sale goods from a motorized vending unit on a public street adjacent to a property zoned R-1, R-2 or R-3.

Section 3. Subsection (6) of Section 62-7, Additional Center City District, Marina and Harbortown provisions, is hereby amended to read as follows:

(6) No person shall engage in business as a solicitor or attempt to engage in business as a solicitor from a parking space on a public street except in parking spaces reviewed by the Traffic Control Board and approved by the City Clerk and in accordance with regulations established by the Traffic Control Board and the Chief of Police. The Traffic Control Board may establish the hours that each parking space shall be available for a solicitor's use, which hours shall not be greater than between the hours of 7:00 a.m. and ~~8:00 p.m.~~ 1:30 a.m. No solicitor shall park a vending unit on a public street in the Center City District between the hours of 2:00 a.m. and 7:00 a.m. No solicitor shall be parked in a specific parking space for more than four consecutive hours

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, added text is underlined

Passed unanimously.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
March 25, 2014

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 84 - Appropriating Funds For Library Construction Projects

The following entitled legislation is being held in Committee:

Int. No. 86 - Establishing Maximum Compensation For An Agreement For Equipment, Software, Installation And Support Services For Parking Garages

Int. No. 87 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$1,200,000 Bonds Of Said City To Finance The

Cost Of The Purchase, Installation And Software For Parking Garage Equipment In City-Owned Parking Garages

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-54
Re: Amending Ord. No. 2013-393,
Appropriating New York State
Funds for Library Construction

Transmitted herewith for your approval is legislation amending Ordinance No. 2013-393 which authorized the appropriation of \$213,425 in New York State Education Department, Division of Library Development construction grant funds for capital projects at the Arnett Branch and Central Libraries. This amendment will increase that appropriation by an additional \$218,500 to be used for exterior and HVAC repairs to the Wheatley branch library, which brings the total amount appropriated for library construction to \$431,925.

The additional funds and their use were anticipated and included in the 2013-14 Capital Improvement Plan. However, this part of the grant was inadvertently omitted from the appropriation request.

The agreement with the New York State Education Department for receipt of this funding was authorized by the Rochester Public Library Board of Trustees at their September 25, 2013 meeting.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-54
(Int. No. 84)

Appropriating Funds For Library Construction Projects

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

Section 1. The sum of \$218,500 is hereby appropriated from grant funds from the New York State Education Department, Division of Library Development, as Library cash capital to fund exterior repairs and repairs to heating, ventilation and air conditioning systems at the Wheatley Branch Library.

Section 2. Ordinance No. 2013-393 is hereby amended to add the appropriation made in Section 1 of this ordinance.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-55 and
Ordinance No. 2014-56
Re: Agreement - ParkingSoft, Inc. Parking
Garage Revenue and Control System

Transmitted herewith for your approval is legislation related to the implementation of a standard, coordinated revenue and control system for all City-owned parking garages. This legislation will:

1. Authorize the issuance of \$1,200,000 in bonds (Parking Debt) and the appropriation of the proceeds thereof for the purchase and installation of equipment, hardware, and software required for the new system.
2. Establish \$2,624,592 as maximum compensation for a five-year agreement with ParkingSoft, Inc. (Norcross, GA) for installation and support of the equipment, hardware, and software for the new system. Funding for this agreement is described below.

The City parking garages, privately managed prior to 2010, are currently using individual systems to control the entrance and exit of vehicles, accept payment, and track revenue. With no integration of these systems, it has been difficult to monitor usage and track revenue, resulting in process inefficiencies.

The new equipment will control access in and out of the garage based on proper validation and payment, and the integrated software will enable more efficient management of garage capacity, revenue, and operations. The real-time audit controls will ensure that the garages are not being used without payment. In addition, customers will benefit from self-service features and online payment options for monthly parking.

In order to coincide with completion of construction, Midtown Garage will be the first facility to implement the new system. Upon successful implementation, the intent is to authorize the standardization of the equipment, processes, and software for implementation across all City parking garages within the next five years.

The total payment to Parking Soft in 2013-14 for Midtown Garage will be \$417,900, to be financed as follows:

2012-13 Cash Capital	\$350,000
Bonds authorized herein (Parking)	60,000
2013-14 Budget (Finance	
Department - Parking Bureau)	7,900
	\$417,900

Future year expenses will be funded from the balance of the bonds (Parking) authorized herein and

subsequent annual budgets, contingent upon their approval.

ParkingSoft was selected through a request for proposal process described in the attached summary. The agreement will be for a term of five years and will include the option for two one-year renewals.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-28

Councilmember Conklin moved to discharge Int. No. 86 from Committee.

The motion was seconded by Councilmember Palumbo.

Adopted unanimously.

Councilmember Conklin moved to amend Int. No. 86.

The motion was seconded by Councilmember Palumbo.

Adopted unanimously.

Ordinance No. 2014-55
(Int. No. 86, As Amended)

Establishing Maximum Compensation For An Agreement For Equipment, Software, Installation And Support Data Processing Services For Parking Garages

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

Section 1. The sum of \$2,624,592, or so much thereof as may be necessary, is hereby established as the maximum compensation to be paid for an agreement between the City and ParkingSoft, Inc. LLC for the purchase, installation and maintenance of an equipment, ~~hardware and software and data processing and payment management services~~ for City-owned parking garages. The term of the contract shall be for five years, with the option for two one-year renewals. Said amount shall be funded as follows: \$1,200,000 from a parking bond to be authorized for this purpose, \$350,000 from ~~current year 2012-13~~ cash capital, and \$7,900 from the 2013-14 Budget of the Finance Department (Bureau of Parking), and \$1,066,692 from the annual budgets of the Finance Department (Bureau of Parking) in future years, contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Added text is underlined, ~~strikeout~~ indicates deleted text

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - Councilmember Miller - 1.

Councilmember Conklin moved to discharge Int. No. 87 from Committee.

The motion was seconded by Councilmember Spaul.

Adopted unanimously.

Councilmember Conklin moved to amend Int. No. 87.

The motion was seconded by Councilmember Haag.

Adopted unanimously.

Ordinance No. 2014-56
(Int. No. 87, As Amended)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$1,200,000 Bonds Of Said City To Finance The Cost Of The Purchase, And Installation Of And Software For Parking Garage Equipment In City-Owned Parking Garages

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the purchase, ~~installation and software services for and installation of~~ payment equipment ~~and systems~~ in City-owned parking garages including the Sister Cities, Washington Square, Court Street, Crossroads, High Falls, Mortimer Street, South Avenue, East End and Midtown garages (the "Project"). The equipment to be installed includes servers, entry lane ticket spitters, monthly pass readers, barrier gate arms, payment machines, exit verifiers, hand held payment machines, windshield tags, and wiring and supplies, for a total of thirty garage entry lanes and thirty two garage exit lanes. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,624,592. The plan of financing includes the issuance of \$1,200,000 bonds of the City, and said amount is hereby appropriated therefor, together with the application of \$357,900 in current City funds, and \$1,066,692 in future City funds and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,200,000 are hereby authorized to be issued pursuant to the Constitution and laws of the

State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,200,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.42 32 of the Law, is five (5) years.

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

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

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

- (a) such obligations are authorized for an object or purpose for which the City is not autho-

rized to expend money, or

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

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

Added text is underlined, strikethrough indicates deleted text

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - Councilmember Miller - 1.

By Councilmember Palumbo
March 25, 2014

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 67 - Authorizing The Sale Of Real Estate

Int. No. 68 - Authorizing The Acquisition By Donation Of Permanent Easements For Sidewalk Purposes In Connection With The CityGate Project

Int. No. 69 - Establishing Maximum Compensation For Professional Services Agreements For The Voice Of The Citizens Project

Int. No. 70 - Resolution Approving Appointment To The City Planning Commission

Int. No. 81 - Approving A Property Tax Exemption And Authorizing An In Lieu Of Tax Agreement For The Lake Ravine Apartments Project

Int. No. 82 - Authorizing A Loan Agreement For The Lake Ravine Apartments Project, As Amended

Int. No. 85 - Authorizing Agreements With The Rochester Land Bank Corporation

The Neighborhood & Business Development

Committee recommends for consideration the following entitled legislation:

Int. No. 71 - Amending Ordinance 2013-283 Changing The Zoning Classification Of 705 And 707-711 Maple Street And 199, 205, 209-221, 225 And 233 Ames Street From C-1 Neighborhood Center To M-1 Industrial

Int. No. 44 - Changing The Zoning Classification Of 375, 405, And 415-425 West Ridge Road And 1760 Dewey Avenue From Eastman Business Park Planned Development District (PD #12) To C-3 Regional Center District

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-57
Re: Sale of Real Estate

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

The first set of parcels is three vacant lots sold by negotiated sale. The first is a vacant commercial lot that was offered at a request for proposal sale. The selected purchaser plans to combine the lot with his adjoining property. The remaining two lots are being sold to their adjacent owners who will combine the lots with their current parcels.

The remaining five parcels are unbuildable vacant lots, and are being sold for \$1 (as per City policy) to their adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these eight properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,255.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-29

Ordinance No. 2014-57
(Int. No. 67)

Authorizing The Sale Of Real Estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
22 Carthage Al	106.79-1-8.3	1x41	305	\$150	HIVE @ 155, LLC*
40 Delmar St	105.49-2-36	40x150	6,000	\$450	Jeffrey Petros
61-63 Niagara St	106.51-1-51.1	53x64	5,945	\$500	Caletz Development, LLC**

*Principal: Daniel Morgenstern, Owner & Sole Proprietor

**Principals: Mario Caletz, Owner; Stephanie Caletz, Co-Owner

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u> <u>Sq. Ft.</u>	<u>S.B.L.#</u> <u>Purchaser</u>	<u>Lot Size</u>
75 Eddy St 3,389	120.34-2-39 Sylvia Pardner	33x103
127 Lincoln St 3,370	106.41-3-2 Ian Coke	40x84
EH of 226 Otis St 1,640	EH of 105.49-1-33 Norman Sawatis	20x80
WH of 226 Otis St 1,640	WH of 105.49-1-33 Willie Givens	20x80
77 Weld St 3,000	106.73-1-18 First Born Church of the Living God of Rochester New York***	33x90

***Church Board: Edward Mulligan, Chairman-Deacon; Rosa Noble, Evangelist

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-58
Re: Accepting Easements - CityGate Project

Transmitted herewith for your approval is legislation authorizing the acceptance, by donation, of two easements over the properties described below, and illustrated on the attached maps, to provide public sidewalk access along East Henrietta Road adjacent to the CityGate development project.

<u>Address</u> <u>Owner</u>	<u>Sq.Ft.</u>
422 E. Henrietta Rd. Monroe Newpower, COMIDA	2,027
444 E. Henrietta Rd Monroe County Pure Waters	360

In the course of this project it was noted on the subdivision map that the sidewalk along the east side of E. Henrietta Road is located on private property, with no formal easement in place. Acceptance of these donations will allow continued pedestrian access and sidewalk maintenance.

The acceptance of two other easements related to the CityGate Project was authorized by Council in

December 2013.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-30

Ordinance No. 2014-58
(Int. No. 68)

Authorizing The Acquisition By Donation Of Permanent Easements For Sidewalk Purposes In Connection With The CityGate Project

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

Section 1. The Council hereby approves the acquisition by donation of the following permanent easements for sidewalk purposes as a part of the CityGate Project:

<u>Address</u> <u>Owner</u>	<u>Sq. Ft.</u>
422 E. Henrietta Rd. Monroe Newpower, COMIDA	2,027
444 E. Henrietta Rd. Monroe County Pure Waters	360

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-59
Re: Agreements - Voice of the Citizen
Quadrant Projects

Transmitted herewith for your approval is legislation establishing maximum compensation for agreements as summarized below for implementation of Voice of the Citizen (VOC) projects in the Southeast, Northeast, and Southwest Quadrants. The cost of the agreements will be funded from the 2013-14 Undistributed Budget allocation of \$200,000 for the Citizen Budgeting Public Safety Program.

<u>Quadrant</u>	<u>Agency</u>	<u>Amount</u>
SE	SWPC	\$40,922
NE	NEAD	\$50,000
SW	SWAN	\$50,000

The program, initiated in summer 2013, provided an opportunity for citizens to engage in a process through which they would ultimately propose and select projects to be funded. The VOC process, employed by each quadrant, included meeting with neighborhood delegates to identify major concerns regarding public safety and generating ideas for projects to address those concerns. The recommended projects were then presented to the public for voting. Residents were allowed to vote once within their own quadrant. The selected projects are summarized below (additional information is

attached):

Southeast Quadrant - Improving Public Safety through Neighborhood Involvement Project

South Wedge Planning Committee (SWPC) will act as the fiduciary for implementation of this project. SWPC will coordinate planning and production of related activities which will focus on neighborhood engagement. The balance of \$9,000 will be used by the City to purchase two mobile radar signs to use as needed for traffic calming in the area.

Northeast Quadrant - GIS Scholar Project

Northeast Area Development (NEAD) will act as the fiduciary for this project, which will be implemented by Group 14621. Group 14621 has been operating the GIS Scholars Project since spring 2012. This \$50,000 allocation will allow expansion of the program to include five to ten additional youth workers who will focus on neighborhood characteristics related to crime rates.

Southwest Quadrant - Arts & Culture; Education Career Enhancement; and Community Building Projects

Southwest Area Neighborhood Association (SWAN) will act as fiduciary for implementation of these three projects intended to actively engage citizens in neighborhood activities.

Northwest Quadrant - Crime Prevention through Environmental Design Projects

The \$50,000 allocation will be used by the City to purchase a variety of equipment and materials for installation throughout the quadrant. The intent of such purchases (e.g., outdoor café seating, pedestrian crossing signs) is to create an environment that discourages crime.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-31

Ordinance No. 2014-59
(Int. No. 69)

Establishing Maximum Compensation For Professional Services Agreements For The Voice Of The Citizen Project

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

Section 1. The sum of \$40,922, or so much thereof as may be necessary, is hereby established as the maximum compensation to be paid for a professional services agreement between the City and The South Wedge Planning Committee to act as the fiduciary for the implementation of the Voice of the Citizen Project in the Southeast quadrant. The term of the agreement shall be from March 1, 2014 to October 1, 2014.

Section 2. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the maximum compensation to be paid for a professional services agreement between the City

and North East Area Development, Inc. to act as the fiduciary for the implementation of the Voice of the Citizen Project in the Northeast quadrant. The term of the agreement shall be from March 1, 2014 to October 1, 2014.

Section 3. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the maximum compensation to be paid for a professional services agreement between the City and The Southwest Area Neighborhood Association to act as the fiduciary for the implementation of the Voice of the Citizen Project in the Southwest quadrant. The term of the agreement shall be from March 1, 2014 to October 1, 2014.

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

Section 5. The cost of these agreements shall be funded from the \$200,000 allocation for the Citizen Budgeting Public Safety Program that was included in the 2013-14 budget for Undistributed Expense.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-17
Re: Appointment - City Planning Commission

Transmitted herewith for your approval is legislation confirming the appointment of Todd Bruce, 349 Arnett Blvd., Rochester, New York 14619 to the City Planning Commission.

Mr. Bruce resides in the 19th Ward, and is currently employed as an architect with the City School District. He will be filling a long-time vacancy that has existed on the Commission since 2010. Mr. Bruce's term will be effective immediately and will extend to February 28, 2016. His resume is available for review in the City Clerk's Office.

A summary description of the Commission is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-32

Resolution No. 2014-17
(Int. No. 70)

Resolution Approving Appointment To The City Planning Commission

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

Section 1. The Council hereby approves the appointment of Todd Bruce to the City Planning

Commission for a term which shall expire February 28, 2016.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2014-60 and

Ordinance No. 2014-61

Re: Lake Ravine Apartments

Transmitted herewith for your approval is legislation relating to the Lake Ravine Apartments project, an affordable housing project being undertaken by Baldwin Real Estate Development Corporation (BREDC). This legislation will:

1. Authorize property tax exemptions and payment-in-lieu of taxes agreements for the project to include a 30-year tax exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs). The project was approved by the City's PILOT review committee on March 5, 2014.
2. Authorize loan agreements with BREDC or an affiliated partnership or housing development fund corporation to be formed by them as summarized below. Both loans will have a term of 30 years with an annual interest rate of 2%.

	2011-12 <u>Cash Capital</u>	2012-13 <u>Cash Capital</u>	Capital Project <u>Dev't Housing Fund</u>	<u>Total</u>
Loan 1 Construction Financing	\$442,032	\$ 32,968	\$ -0-	\$475,000
Loan 2 Permanent Financing	-0-	241,141	233,859	475,000
Total	<u>\$442,032</u>	<u>\$274,109</u>	<u>\$233,859</u>	<u>\$950,000</u>

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

Lake Ravine Apartments (the "project") will combine the properties currently known as Genesee West Apartments and Century Straub & Ontario Apartments, which are located along Lake Avenue in the northwest quadrant of the City of Rochester, and include 468, 476, 480-486, 568-576, 580-588, 597-601, 594-604, 606-614, and 609 Lake Avenue and 15-17 Ravine Avenue.

Headquartered locally, Baldwin Real Estate Development Corporation is affiliated with the DiMarco Group and Baldwin Real Estate Corporation. In conjunction with DiMarco Construction, Baldwin Real Estate Development Corporation develops and constructs multi-unit residential housing. They specialize in affordable housing, market rate and senior living housing. They are working with ISLA Housing Development Inc. as the sponsor and non-profit partner. ISLA will coordinate local support services (including to residents) as well as the related environmental reviews. The organization also has the right to purchase the project upon expiration of the tax credit compliance period.

The project entails the rehabilitation of 111 residential units in seven walk-up buildings, and two resident-only surface parking lots. The project also includes the rehabilitation of eight existing vacant and underutilized commercial spaces that will be converted to residential and community service facility uses to provide necessary and supportive amenities to the residents while removing blighted storefronts from the neighborhood. The income targets for the residential project are 60% and below AMI.

Sources and uses of funding for the project are summarized below:

Sources

Tax exempt bonds	\$ 2,100,000
Homes for Working Families	1,750,000
City of Rochester	950,000
Federal Home Loan Bank	600,000
HUD 2nd and 3rd mortgages	674,000
Replacement reserves	200,000
Deferred developer fee	354,648
Ltd partner equity - Low income housing tax credits	<u>7,523,000</u>
Total Sources	<u>\$14,151,648</u>

Uses	
Property acquisition	\$ 3,063,035
Residential hard costs	6,205,020
Residential contingency	620,502
Soft costs	2,390,614
Working capital and reserves	561,955
Developer fee	<u>1,310,522</u>
Total Uses	\$14,151,648

The City, acting as Lead Agency for the Environmental Review, has issued a Negative Declaration for this project.

The minority and women workforce goals for the project are 20% minority 6.9% women.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-33

Ordinance No. 2014-60
(Int. No. 81)

Approving A Property Tax Exemption And Authorizing An In Lieu Of Tax Agreement For The Lake Ravine Apartments Project

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

Section 1. Pursuant to Section 577 of the New York State Private Housing Finance Law, the Council hereby exempts from real property taxes, for a period of 30 years, the properties described below, to be owned by Baldwin Real Estate Development Corporation or an affiliated partnership or housing development fund corporation formed for the Lake Ravine Apartments Project, and to be used for housing as a part of the Lake Ravine Apartments Project:

<u>Project Address</u>	<u>SBL #</u>
468 Lake Avenue	105.440-0001-026.000
476 Lake Avenue	105.440-0001-027.000
480-486 Lake Avenue	105.440-0001-028.000
568-576 Lake Avenue	105.350-0003-017.000
580-588 Lake Avenue	105.350-0003-008.000
597-601 Lake Avenue	105.350-0002-034.000
594-604 Lake Avenue	105.350-0002-026.000
606-614 Lake Avenue	105.350-0002-027.000
609 Lake Avenue	105.350-0002-033.000
15-17 Ravine Avenue	105.350-0003-009.000

Section 2. The Mayor is hereby further authorized to enter into an in-lieu-of-tax payment agreement for a period of thirty years with the housing development fund corporation, whereby the owner shall be obligated to make annual tax and in-lieu-of-tax payments to the City of Rochester equal in total to at least 10% of its annual "shelter rent". "Shelter rent" shall equal gross rents less utility costs.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-61
(Int. No. 82, As Amended)

Authorizing A Loan Agreement For The Lake Ravine Apartments Project

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

Section 1. The Mayor is hereby authorized to enter into loan agreements for construction financing and permanent financing with Baldwin Real Estate Development Corporation or an affiliated partnership or housing development fund corporation formed for the Lake Ravine Apartments Project, the construction financing loan shall be at 2% interest, to be paid annually. When the loan is converted to permanent financing, it shall be for a term of 30 years with interest at 2% payable annually. Payment of the principal shall be deferred until the end of the term. The Mayor is authorized to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project.

Section 2. The agreements shall obligate the City of Rochester to pay an amount not to exceed \$475,000 for the construction financing period and an additional \$475,000 for a total of ~~\$900,000~~ 950,000 in permanent financing, and said amount, or so much thereof as may be necessary, shall be funded as follows: \$442,032 from the 2011-12 Cash Capital allocation; \$274,109 from the 2012-13 Cash Capital allocation, and \$233,859 from the Capital Project Housing Development Fund.

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

Section 4. This ordinance shall take effect immediately.

Strikeout material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-62
Re: Agreements - Rochester Land Bank Corporation

Transmitted herewith for your approval is legislation related to the acquisition of tax-foreclosed City-owned properties by the Rochester Land Bank Corporation (Land Bank). This legislation will:

1. Authorize an agreement with the Land Bank to allow its purchase of tax-foreclosed City-owned properties through the use of a credit bid.

- 2. Establish \$18,500 as maximum compensation for an agreement with the Land Bank to purchase certain tax-foreclosed City-owned properties through use of the trump bid. Cash Capital allocations have been identified for this purpose: \$3,500 (2013-14); \$2,500 (Prior Years' FIS); \$12,500 (Prior Years' JOSANA). However, depending on the properties sold, amounts from each may vary, and the Director of the Office of Management and Budget may alter these sources of funding in order to provide for an appropriate share of the cost to be paid from the Water, Refuse or Local Works Funds.

The New York Land Bank Act and the Not-for-Profit Corporation Law allows the Land Bank to utilize two types of bids in tax foreclosure auctions to facilitate its work in acquiring properties.

Credit Bid

The Land Bank Act specifies that the City and the Land Bank are to mutually agree to the form, substance, and timing of using the credit bid for property acquisitions. The standard terms of sale at a tax foreclosure auction require payment of an immediate deposit for each property purchased, and full payment of the balance of the purchase price within two business days of the auction. The agreement proposed herein will exempt the Land Bank from placing a deposit, and will establish that the full bid price must be paid to the City by the Land Bank at some time prior to the end of the fiscal year in which the property is acquired. Extensions may be granted at the discretion of the City Treasurer.

Trump Bid

The trump bid allows the Land Bank to purchase properties for the amount of the opening bid set by the City, regardless of any bid from third parties. The funding of \$18,500 will be used for the Land Bank's acquisition of any or all of the properties listed below, in coordination with the noted City revitalization initiatives.

Address

<u>Address</u>	<u>Project/Purpose</u>
59 Hortense St	Bulls Head/Demolition
423-425 Jay St	JOSANA/Demolition
503 Jay St	JOSANA/Demolition
138 Lewis St	Focused Investment Strategy/Demolition

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-34

Ordinance No. 2014-62
(Int. No. 85)

Authorizing Agreements With The Rochester Land Bank Corporation

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

Section 1. The Mayor is hereby authorized to enter into a credit bid agreement with the Rochester Land Bank Corporation for the terms and conditions on which the Rochester Land Bank Corporation shall be authorized to purchase properties to be sold pursuant to a tax foreclosure action initiated by the City. Said agreement shall also provide for the terms of payment by the Rochester Land Bank for properties it purchases.

Section 2. The credit bid agreement shall have a term of five years.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with the Rochester Land Bank Corporation for an amount not to exceed \$18,500 for services in connection with the acquisition, assessment, and management of properties to be acquired by the Rochester Land Bank Corporation and transferred to the City for demolition in connection with the planned future development projects described below. This agreement shall have a term of one year. The cost of this agreement shall be funded from the following sources: \$3,500 from the Department of Neighborhood and Business Development allocation for acquisition from 2013-14 Cash Capital, \$2,500 from the Focused Investment Strategy allocation from prior years Cash Capital and \$12,500 from the JOSANA allocation from prior year Cash Capital, provided that the Director of the Office of Management and Budget may alter these sources of funding in order to provide for an appropriate share of the cost to be paid from the Water Fund, the Refuse Fund or Local Works Fund.

<u>Address</u>	<u>SBL #</u>
<u>Project/Purpose</u>	
59 Hortense St	120.42-1-74
Bulls Head/Demolition	
423-425 Jay St	105.83-3-4
JOSANA/Demolition	
503 Jay St	105.83-1-37
JOSANA/Demolition	
138 Lewis St	106.66-1-35
Focused Investment Strategy/Demolition	

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-63
Re: Amending Ordinance No. 2013-283 -
Zoning Map Amendment, Maple and
Ames Street

Transmitted herewith for your approval is legisla-

tion amending Ordinance No. 2013-283 to include three properties which were inadvertently omitted from the legislation. Ordinance No. 2013-283 was a Zoning Map Amendment intended to rezone seven properties from C-1 Neighborhood Center District to M-1 Industrial District.

The error was discovered when the zoning changes were being recorded in the City Building Information System. All seven properties - 705, and 707-711 Maple Street and 199, 205, 209-221, 225, 233 Ames Street - were accurately described in the original transmittal letter and presented to the City Planning Commission. However, 199, 205, and 209-221 Ames Street were not included in the legislation nor, therefore, in the required public hearing notifications.

The City Planning Commission informational meeting regarding all seven properties was held on July 15, 2013; the Commission unanimously recommended approval.

A new public hearing on the rezoning of 199, 205, and 209-221 Ames Street is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-35

Ordinance No. 2014-63
(Int. No. 71)

Amending Ordinance No. 2013-283 Changing The Zoning Classification Of 705 And 707-711 Maple Street And 199, 205, 209-221, 225 And 233 Ames Street From C-1 Neighborhood Center To M-1 Industrial

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

Section 1. Ordinance No. 2013-283 is hereby amended to correct the street addresses of the parcels affected by a change in zoning classification pursuant to that ordinance. As amended Ordinance No. 2013-283 shall read as follows:

Ordinance No. 2013-283

Changing The Zoning Classification Of 705 And 707-711 Maple Street And 199, 205, 209-221, 225 And 233 Ames Street From C-1 Neighborhood Center To M-1 Industrial

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcels, constituting 705 and 707-711 Maple Street, 199, 205, 209-221 and 225 and 233 Ames Street, from C-1 Neighborhood Center to M-1 Industrial:

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 67 of the 20,000 Acre Tract and being more particularly bounded and described as follows: Beginning at the centerline intersection of Maple Street (66' ROW) and Ames Street (59.5' ROW), said intersection being the Point or Place of Beginning; thence

- 1) Southerly, along said centerline of Ames Street, a distance of 414 feet, more or less, to the easterly extension of the south line of Lot 10 of the Diedrich Blum Subdivision, as filed in the Monroe County Clerk's Office in Liber 5 of Maps, Page 58; thence
- 2) Westerly, along said extension and the south line of Lot 10, a distance of 192.8 feet, more or less, to the southwest corner thereof; thence
- 3) Northerly, along the west line of Lots 5 thru 10 of said Diedrich Blum Subdivision, a distance of 220.0 feet to the southwest corner of Lot 4 of said Subdivision; thence
- 4) Easterly, along the south line of said Lot 4, a distance of 40.0 feet to the southeast corner thereof; thence
- 5) Northerly, along the east line of said Lot 4, a distance of 20.0 feet to the southwest corner of Lot 3 of said Subdivision; thence
- 6) Easterly, along the south line of said Lot 3, a distance of 40.0 feet to the southeast corner thereof; thence
- 7) Northerly, along the east line of said Lot 3 and it's extension, a distance of 173.5 feet, more or less, to the said centerline of Maple Street; thence
- 8) Easterly, along said centerline, a distance of 112.4 feet, more or less, to the said centerline of Ames Street, being the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

Added text is underlined

Passed unanimously.

Introductory No. 44 was introduced February 25, 2014 and appears in its original form with its transmittal letter on page 43 of the current Council Proceedings.

Attachment No. AN-36

Ordinance No. 2014-64
(Int. No. 44)

Changing The Zoning Classification Of 375, 405, And 415-425 West Ridge Road And 1760 Dewey Avenue From Eastman Business Park Planned Development District (PD #12) To C-3 Regional Center District

Passed unanimously.

By Councilmember Haag
March 25, 2014

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 72 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Water Testing Services

Int. No. 73 - Establishing Maximum Compensation For A Professional Services Agreement For The Central Vehicle Maintenance Facility (CVMF) Underground Electrical Service Replacement - Phase 2 Project

Int. No. 75 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For The Center City Two-Way Conversion Project

Int. No. 76 - Appropriating Funds And Authorizing An Amendatory Agreement For The Rochester Bicycle Enhancement Program, As Amended

Int. No. 77 - Establishing Maximum Compensation For An Agreement For Dredging Services In The Genesee River

The following entitled legislation is being held in Committee:

Int. No. 74 - Establishing Maximum Compensation For A Professional Services Agreement For Engineering Services For The Rochester Police Department Special Operations Building

Respectfully submitted,
Matt Haag
Elaine M. Spaul
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-65
Re: Amendatory Agreement - Underwriters Laboratories, Inc., Water Testing Services

Transmitted herewith for your approval is legisla-

tion authorizing an amendatory agreement with Underwriters Laboratories, Inc. (South Bend, Indiana) for additional laboratory water quality testing services. The original agreement included compensation in the amount of \$24,000 (Ord. No. 2011-111). This amendment will increase maximum compensation by \$4,000 to a total of \$28,000. The additional cost will be funded from the 2013-14 Budget of the Department of Environmental Services.

The EPA's 2005 Long-term 2 Enhanced Surface Water and Stage2 Disinfection By-products (DBP) Rules required the City to test its drinking water supply four times a month for DBP, trihalomethane, and haloacetic acid. In 2012, this monthly testing was increased by the EPA to eight times a month. This was an unexpected expense.

Also, after the installation of the new liner and cover at Rush Reservoir in 2012, the Water Bureau temporarily increased DBP testing there to ensure that the new cover was not resulting in higher than anticipated DBP levels. These extra tests were done to ensure that the City of Rochester is continuing to provide the highest quality of drinking water to its customers.

The additional funds will provide for continued testing through June 28, 2014, which is when the current contract expires. A request for proposals will be issued prior to proposing a new agreement for these services.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-65
(Int. No. 72)

Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Water Testing Services

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

Section 1. The agreement between the City and Underwriters Laboratories, Inc. authorized by Ordinance 2011-111 for the sum of \$24,000, is hereby amended to increase the compensation to be paid for a professional services agreement between the City and Underwriters Laboratories, Inc. for laboratory testing of drinking water for three years by \$4,000 to a total of \$28,000, or so much thereof as may be necessary. Said increased amount shall be funded from the 2013-14 operating budget of the Department of Environmental Services

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-66
Re: Agreement - Hunt Engineers, Architects & Land Surveyors, P.C., Central Vehicle Maintenance Facility Engineering Services

Transmitted herewith for your approval is legislation establishing \$67,000 as maximum compensation for an agreement with Hunt Engineers, Architects & Land Surveyors, P.C. (Hunt) for engineering services related to Phase 2 of the Central Vehicle Maintenance Facility (CVMF) Underground Electrical Service Replacement Project. The cost of the agreement will be financed from the 2013-14 Cash Capital allocation of the Department of Environmental Services.

The underground electrical service for Buildings 100 and 200 at the CMVF needs replacement. The scope of work is recommended in a report prepared in March 2011 by LaBella Associates, which identified that electrical power failures experienced at the site have been caused by the deteriorated condition of the existing underground systems. The report also recommends replacing the remainder of the underground electrical services at CVMF in future project phases.

Hunt will provide mechanical, electrical and/or plumbing engineering design services at various stages of the project, including: program verification and schematic design, design development, contract documents, bid and award phase services, and construction administration.

Sources of funding for construction of the project in the amount of \$583,000 have been identified and will be included in the proposed 2014-15 Capital Improvement Plan.

Program verification and schematic design will begin in spring 2014; it is anticipated that construction will begin in Spring 2015 (contingent upon approval of the CIP), with completion in fall 2015. The services agreement will result in the creation/retention of the equivalent of 0.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-37

Ordinance No. 2014-66
(Int. No. 73)

Establishing Maximum Compensation For A Professional Services Agreement For The Central Vehicle Maintenance Facility (CVMF) Underground Electrical Service Replacement - Phase 2 Project

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

Section 1. The sum of \$67,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Hunt

Engineers, Architects & Land Surveyors, P.C. for engineering planning and design services for the Central Vehicle Maintenance Facility (CVMF) Underground Electrical Service Replacement - Phase 2 Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. The cost of said agreement shall be funded from the 2013-14 Cash Capital budget of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-67
Re: Amendatory Agreement - Fisher Associates, Center City Two-Way Conversion Project

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Fisher Associates, P.E., L.S., P.C., for additional design services for the Center City Two-Way Conversion Project. The original agreement included \$142,000 as maximum compensation (Ord. No. 2012-262); Ord. No. 2013-138 authorized an additional \$77,000. The amendment proposed herein will increase maximum compensation by another \$40,000, for a total of \$259,000. The additional cost of the agreement will be financed from prior years' Cash Capital allocation.

This project implements the planned two-way conversion of St. Paul Street and North Clinton Avenue between East Main Street and Cumberland Street, the conversion of Bittner Street from two-way to one-way, and includes modifications to pavement markings, traffic signals, signing, limited changes to curbs lines, and the milling and resurfacing of St. Paul Street (East Main Street to Cumberland Street), North Clinton Avenue (East Main Street to Cumberland Street) and East Main Street (St. Paul Street/South Avenue to N./S. Clinton Avenue).

Additional design is needed for changes to the layout of traffic lanes, which was the result of additional input from City staff based upon updated traffic projections. Changes are also needed to coordinate the two-way conversion with a newly designed but separate milling and resurfacing project on Andrews Street.

Construction is expected to begin in summer of 2014, and be completed by fall 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-67
(Int. No. 75)

Establishing Maximum Compensation For An Amendatory Professional Services Agree-

ment For The Center City Two-Way Conversion Project

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

Section 1. The sum of \$40,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Fisher Associates, P.C., for engineering design and construction phase design services for the Center City Two-Way Conversion Project. Together with amounts approved by previous Ordinances 2012-262 and 2013-138 this amendatory agreement will increase the total agreement to \$259,000. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from the Cash Capital allocation from prior years.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-68
Re: Amendatory Agreement - C&S Companies,
Rochester Bicycle Enhancement Program

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with C&S Companies for additional resident project representation (RPR) services. The original agreement included \$46,000 as maximum compensation and a previous amendment raised this to \$52,700; this amendment will increase that amount by \$16,017 for a total of \$68,717. The additional cost will be funded from previously appropriated Federal Highway Administration reimbursements (Ord. No. 2013-244) in the amount of \$12,814, and 2011-12 Cash Capital in the amount of \$3,203.

The Rochester Bicycle Enhancement Program involved the installation of on-street bicycle lanes on approximately 15 centerline miles of arterial and collector streets throughout the city. Construction began in summer 2013 and was completed in fall 2013.

However, construction lasted 11 weeks longer than anticipated for two primary reasons. First of all, this is the first large scale striping-only contract the City has undertaken; with no comparable previous experience, it was difficult to determine the actual time needed. Secondly, the City had no previous experience with the low bidding contractor as a prime contractor, which added to the difficulty in estimating the time needed to complete construction. Fortunately, the construction itself was completed under budget, allowing for funds already allocated for the project to cover the additional RPR services.

Administration of the project with the New York

State Department of Transportation, design and RPR agreements, and funding appropriations were authorized in Ordinance Nos. 2011-251, 2012-75, and 2013-244.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-68
(Int. No. 76, As Amended)

Appropriating Funds And Authorizing An Amendatory Agreement For The Rochester Bicycle Enhancement Program

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

Section 1. The sum of \$16,017, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and C&S Companies for design and resident project representation services for the Rochester Bicycle Enhancement Program. This additional amount shall increase the amounts previously approved by Ordinance Nos. 2012-75 and 2013-244 to a total not to exceed \$68,717. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the program. Said amount shall be funded with \$2,603 ~~\$3,203~~ from the ~~2011-12~~ 2012-13 Cash Capital allocation and with \$13,414 ~~\$12,814~~ from Federal Highway Administration aid previously appropriated by Ordinance No. 2013-244.

Section 2. This ordinance shall take effect immediately.

Strikeout material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-69
Re: Inter-government Agreement - US Army
Corps of Engineers, Port of Rochester
Harbor Dredging

Transmitted herewith for your approval is legislation establishing \$7,000 as maximum compensation for an agreement with the U.S. Army Corps of Engineers (ACOE) for dredging of the Genesee River at the entrance of the new Port Marina. The cost of this agreement will be financed from 2012-13 Cash Capital.

Beginning in May 2014, the Corps will be removing approximately 100,000 cubic yards of sediment (the result of weather events related to Hurricane Sandy) from the federal navigation channel in the Genesee River. The ACOE will be dredging in the vicinity of the marina, and the City is qualified to take advantage of the competitive volume related pricing in their dredge contracts. Having them

provide the dredging needed for the marina project will save the City approximately \$36,000 over using the firm doing the marina construction.

The City has entered into similar agreements with the ACOE in the past for dredging port facilities, most recently in March 2008 (Ordinance 2008-96).

It is anticipated that the proposed marina entrance dredging will be completed by June 30, 2014.

Respectfully submitted
Lovely A. Warren
Mayor

Ordinance No. 2014-69
(Int. No. 77)

Establishing Maximum Compensation For An Agreement For Dredging Services In The Genesee River

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

Section 1. The sum of \$7,000, or so much thereof as may be necessary, is hereby established as the maximum compensation to be paid for an agreement between the City and the United States Army Corps of Engineers for dredging services in the Genesee River. Said amount shall be funded from the 2012-13 Cash Capital allocation of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 74
Re: Agreement - LaBella Associates, RPD
Special Operations Facility Improvements

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with LaBella Associates, for engineering design services for mechanical system and other improvements at the Rochester Police Department Special Operations facility at 261 Child Street. The cost of the agreement will be financed from 2013-14 Cash Capital.

The mechanical system for this 3,800 square foot building is in poor condition, requiring frequent maintenance due to insulation issues with mechanical units on the exterior walls; it will be replaced. The boiler and make-up air unit are past their useful life and will also be replaced. Other improvements include: security upgrades and plumbing changes to accommodate the addition of a dedicated driving-while-intoxicated processing room and prisoner restroom; and modifications to the first floor to improve underutilized space. The consultant will provide mechanical engineering design services, including construction administration and commissioning for the project. Architectural services will

be provided in-house.

LaBella Associates was selected for the mechanical, electrical, and plumbing engineering services through a request for proposal process, which is described in the attached summary.

Design services will begin in spring 2014; it is anticipated that construction will begin in spring 2015 with scheduled completion in summer 2015.

Project construction is estimated at \$485,000; this amount will be included in the proposed 2014-15 Capital Improvement Program.

This phase of the project results in the creation/retention of the equivalent of .54 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 74

ESTABLISHING MAXIMUM COMPENSATION FOR A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING SERVICES FOR THE ROCHESTER POLICE DEPARTMENT SPECIAL OPERATIONS BUILDING

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

Section 1. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the maximum compensation to be paid for a professional services agreement between the City and LaBella Associates for mechanical, electrical and plumbing engineering services for mechanical systems and miscellaneous improvements at Rochester Police Department Special Operations Building. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. The cost of said agreement shall be funded from the 2013-14 Cash Capital Budget of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember McFadden
March 25, 2014

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 80 - Authorizing A Professional Services Agreement For Processing Of Credit Card Payments For Bail

Int. No. 88 - Authorizing Amendatory Agree-

ments For The Teenage Pregnancy Prevention Program, As Amended

The Public Safety, Youth & Recreation Committee recommends for consideration the following entitled legislation:

Int. No. 78 - Local Improvement Ordinance - Snow Removal At The Public Market

Int. No. 79 - Local Improvement Ordinance - Security At The Public Market

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-70
Re: Agreement - GovPayNet, Bail Credit Card Services

Transmitted herewith for your approval is legislation authorizing an agreement with GovPayNet (Indianapolis, IN) for the processing of credit card payments for bail posted for individuals in police custody. There is no cost to the City for this service.

The Rochester Police Department currently accepts only cash for bail transactions, and change is not provided. These transactions are unique since the funds are required to be transferred to a State fund specifically for this purpose.

Using GovPayNet is common in New York State; 48 of the 50 County Sheriff Departments, including Monroe County, use them for credit card services for bail. Through this agreement, GovPayNet will:

- Provide credit card services for bail transactions, equipment, and training with no charge to the City.
- Charge the cardholder a 7% fee for all transactions. This fee is assessed on the bail amount, and is added to the overall transaction cost.
- Provide the State bail fund with bail funds collected. GovPayNet is then responsible for collecting the funds from the cardholder.
- Assume the risk for fraud, collection, default, and the return of funds.

This payment and pricing model is the industry standard, and addresses the risks associated with bail transactions. RPD's goal is to reduce the risks associated with handling cash while enhancing

opportunities for people to make bail payments. A no cost option of accepting cash payments will still be available.

The term of this agreement will be for one year with the option to renew for three additional one-year periods.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-38

Ordinance No. 2014-70
(Int. No. 80)

Authorizing A Professional Services Agreement For Processing Of Credit Card Payments For Bail

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 Government Payment Service, Inc., d/b/a GovPayNet to provide services to enable persons posting bail with the Rochester Police Department to make payments for bail by the use of credit cards.

Section 2. The agreement shall not obligate the City to make any payments and shall be for a term of one year with an option to renew for up to three additional one year periods.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-71
Re: Amendatory Agreements - Federal Teenage Pregnancy Prevention (TPP) Program

Transmitted herewith for your approval is legislation related to the Teenage Pregnancy Prevention Program (TPP) grant from the U.S. Department of Health and Human Services (HSS). The City has received approval from HSS to use a total of \$254,851 in unspent funds from the third year to support the fourth year of the program. The program is funded for a total of five years through an annual grant in the amount of \$1,499,705. The third year of program (authorized via Ord. No. 2012-353) focused largely on implementation of program and recruitment activities for implementation in the fourth year, resulting in unused grant funds available for reallocation. Reallocation for year three is due to overlapping fiscal years between the federal government, the City, and the agencies. This legislation will:

1. Authorize amendatory agreements with TPP partners to increase maximum compensation as summarized in the table below. The Year Four agreements were authorized via Ordinance No. 2013-302.
2. Authorize an agreement with Public Strategies in the amount of \$25,000, also included in the table below. Public Strategies was the original contractor selected by the grantor to provide marketing and communication technical assistance. This agreement will cover costs to continue the development of marketing and communication materials, including public service announcements, and the development of a qualitative report on the anecdotal aspects of the program not currently covered by the program evaluation agreement with the University of Rochester. The University of Rochester is responsible for program evaluation and is not a provider of direct services.

The remaining balance of \$54,437 will be included in the City's Teenage Pregnancy Prevention Special Revenue Fund and will be used to cover enhanced recruitment and retention activities for current and previous participants, professional development of staff and marketing of the program. Year four of the program will end on August 31, 2014.

Distribution of Additional TPP Funds

Agency	Year 4 <u>Amount</u>	Reallocation <u>From Yr 3</u>	Amended <u>Amount</u>
Coordinated Care	\$ 129,275	\$ 70,507	\$ 199,782
Baden St./Metro Council	208,065	32,307	240,372
Community Place	79,370	11,000	90,370
YWCA	128,619	19,800	148,419
University of Rochester	359,988	41,800	401,788
Public Strategies	<u>0</u>	<u>25,000</u>	<u>25,000</u>
Subtotal	\$ 905,317	\$ 200,414	\$ 1,105,731
City	<u>594,388</u>	<u>54,437</u>	<u>648,825</u>
Total	\$1,499,705	\$254,851	\$1,754,556

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-39

Ordinance No. 2014-71
(Int. No. 88, As Amended)

Authorizing Amendatory Agreements For The Teenage Pregnancy Prevention Program

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

Section 1. The Mayor is hereby authorized to enter into amendatory agreements with the following organizations in amounts not to exceed the following for services under the Federal Teenage Pregnancy Prevention Program:

<u>Organization</u>	<u>Prior Amount</u>	<u>Amd. Amount</u>
Coordinated Care Services, Inc.	\$129,275	\$199,782
Baden Street Settlement/Metro Council for Youth Potential	208,065	240,372
The Community Place of Greater Rochester	79,370	90,370
YWCA of Rochester and Monroe County	128,619	148,788
University of Rochester Medical Center (evaluation Partner)	359,988	401,788

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Public Strategies in an amount not to exceed \$25,000 for marketing and communications services related to the Federal Teenage Pregnancy Prevention Program.

Section 3. The agreements as amended shall obligate the City to pay an additional amount not to exceed \$200,414 in addition to the amounts authorized by Ordinance No. 2013-302, and said amount, or so much thereof as may be necessary, is hereby appropriated from the unspent funds received from the United States Department of Health and Human Services under the grant agreement authorized by Ordinance No. 2012-353 for the third year of the program.

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

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmember Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - Councilmember Conklin - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1678 and
Local Improvement Ordinance No. 1679
Re: Public Market Snow Removal and
Security Services

Transmitted herewith for your approval is legislation authorizing the appropriations and assessments for snow removal and security services at the Public Market. The snow removal and security districts were established in 1990 and 1991, respectively, and include 15 properties adjacent to the Public Market.

The City provides special snow removal services, including plowing and salting, as necessary. The security services include foot patrols from 5:00 p.m. to 5:00 a.m. on Monday through Saturday and all day Sunday and certain holidays. Part of the cost of these services is apportioned among the properties within the district. For each property, these assessments include both a fixed fee, and a fee per frontage foot.

Snow Removal

In 2014-15 for snow removal services, the fixed fee will be \$100 per property, while the footage fee will be \$3.00 per foot. The total amount of assessment will be \$ 5,873.49, which is unchanged from 2013-14.

	<u>2013-14</u>	<u>2014-15</u>
Fixed Fee	\$100	\$100
Properties	<u>x 15</u>	<u>x 15</u>
Total	\$1,500	\$1,500
	<u>2013-14</u>	<u>2014-15</u>
Footage Fee	\$3.00	\$3.00
Footage	<u>x 1,457.83</u>	<u>x 1,457.83</u>
Total	\$4,373.49	\$4,373.49

Security Services

In 2014-15 for security services, the fixed fee remains at \$1,190 per property, and the front footage fee will be \$15.03 per foot. The total amount of the assessment will be \$39,761.18 which is \$4,737.95 more than 2013-2014. The increase is due to a higher contract cost for security services.

	<u>2013-14</u>	<u>2014-15</u>
Fixed Fee	\$1,190	\$1,190
Properties	<u>x 15</u>	<u>x 15</u>
Total	\$17,850	\$17,850
	<u>2013-14</u>	<u>2014-15</u>
Footage Fee	\$11.78	\$15.03
Footage	<u>x 1,457.83</u>	<u>x 1,457.83</u>
Total	\$17,173.23	\$21,911.18

Public hearings for these assessments are required.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Local Improvement Ordinance No. 1678
 (Int. No. 78)

Local Improvement Ordinance - Snow Removal At The Public Market

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

Section 1. The Council authorizes special snow

plowing and salting services for the Public Market during the fiscal year from July 1, 2014 to June 30, 2015.

Section 2. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2014-15 year shall be \$5,873.49. The amount to be assessed against each parcel shall include a fee of \$100 per parcel plus \$3.00 per foot of frontage that receives plowing and/or salting services. The frontage may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services. The parcels to be assessed are as follows:

<u>Property Address</u> <u>SBL No.</u>	<u>Front Footage</u>
248 N. Union St. 106.660-0001-014	558.27
171 Railroad St. 106.670-0001-078	190.25
60 Public Market 106.590-0003-008	40
64-66 Public Market 106.590-0003-009	40
68-70 Public Market 106.590-0003-010	40
50-52 Public Market 106.590-0003-006	40
55-57 Public Market 106.590-0003-007	40
59 Pennsylvania Ave. 106.590-0003-005.1	81.50
35 Pennsylvania Avenue 106.590.0003-002.1	120
16-18 Public Market 106.590-0003-001	40
25 Pennsylvania Avenue 106.580-0003-026	40
17-23 Pennsylvania Avenue 106.580-0003-027	40
15 Pennsylvania Avenue 106.580-0003-028	40
11 Pennsylvania Avenue 106.580-0003-029	19.57
9 Pennsylvania Avenue 106.580-0003-030	128.24

Section 3. The snow plowing and salting services shall be provided by competitive contract. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2014 and shall be due in one installment.

Section 5. This ordinance shall take effect on July 1, 2014.

Passed unanimously.

Local Improvement Ordinance No. 1679
(Int. No. 79)

Local Improvement Ordinance - Security At The Public Market

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

Section 1. The Council authorizes special security services for the Public Market during the fiscal year from July 1, 2014 to June 30, 2015.

Section 2. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2014-15 year shall be \$339,761.18. The amount to be assessed against each parcel shall include a fee of \$1,190 per parcel plus \$15.03 per foot of frontage. The frontage may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services. The parcels to be assessed are as follows:

<u>Property Address</u>	<u>Front Footage</u>
<u>SBL No.</u>	
248 N. Union St. 106.660-0001-014	558.27
171 Railroad St. 106.670-0001-078	190.25
60 Public Market 106.590-0003-008	40
64-66 Public Market 106.590-0003-009	40
68-70 Public Market 106.590-0003-010	40
50-52 Public Market 106.590-0003-006	40
55-57 Public Market 106.590-0003-007	40
59 Pennsylvania Ave. 106.590-0003-005.1	81.50
35 Pennsylvania Avenue 106.590.0003-002.1	120
16-18 Public Market 106.590-0003-001	40
25 Pennsylvania Avenue 106.580-0003-026	40
17-23 Pennsylvania Avenue 106.580-0003-027	40
15 Pennsylvania Avenue 106.580-0003-028	40
11 Pennsylvania Avenue 106.580-0003-029	19.57
9 Pennsylvania Avenue 106.580-0003-030	128.24

Section 3. The security services shall be provided by competitive contract. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2014 and shall be due in one installment.

Section 5. This ordinance shall take effect on July 1, 2014.

Passed unanimously.

By President Scott
March 25, 2014

To the Council:

The following entitled legislation is being held in the Committee Of The Whole

Int. No. 83 - Resolution Confirming The Appointment Of The Chief Of Police

Respectfully submitted,
Carolee A. Conklin
Matt Haag
Adam C. McFadden
Jacklyn Ortiz
Carla M. Palumbo
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
COMMITTEE OF THE WHOLE

Received, filed and published.

President Scott moved to discharge Int. No. 83 from Committee.

The motion was seconded by Councilmember Haag.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-18
Re: Confirmation of the Chief of Police

Transmitted herewith for your approval is legislation confirming, as required by the City Charter, the appointment of Michael Ciminelli as the Police Chief of the City of Rochester.

Interim Chief Ciminelli's resume is available for review in the City Clerk's Office.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2014-18
(Int. No. 83)

**Resolution Confirming The Appointment Of
The Chief Of Police**

WHEREAS, the Mayor has appointed Michael Ciminelli to the position of Chief of Police, subject to confirmation by the City Council, and

WHEREAS, Council has reviewed the qualifications of the appointee and determined that he 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 Michael Ciminelli as Chief of Police.

This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 8:16 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

**REGULAR MEETING
APRIL 23, 2014**

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 9

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:

- Environmental Services
 - *David P. Gavin
 - *Alberto L. Rodriguez
 - *Robert W. Slick
- Recreation & Youth Services
 - *Luis Burgos
 - *Preston Sanders
- Emergency Communications
 - *Janice L. DeMunck
- Finance Department
 - *Catherine A. Spaulding
- Information Technology
 - *Donald Keeley
- Library
 - *Janice A. Buckner
- Mayor's Office
 - *Alinda M. Drury
- Police Department
 - *David M. Klein
 - *Brian A. Landrigan

*Susan L. Lonchair
**Did not attend meeting.*

**APPROVAL OF THE MINUTES
By Councilmember Miller**

RESOLVED, that the minutes of the Regular Meeting of March 25, 2014 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Quarterly Reports

- Delinquent Receivables 4138-14
- Schedule of Revenue and Expenditures 4139-14

The Council submits Disclosure of Interest Forms from Councilmember Haag on Int. No. 96 and Councilmember Patterson on Int. No. 119.

**PRESENTATION AND REFERENCE OF PETITIONS
AND OTHER COMMUNICATIONS.**

None presented.

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To Downtown Special Services And Authorizing An Agreement Int. No. 120 No speakers.

Continuation Of Local Improvement Ordinance No. 1352 Relating To The Downtown Special Services Program Int. No. 121 No speakers.

Amending Chapter 120 Of The Municipal Code, Zoning Code, With Respect To Electric Vehicle Charging Stations Int. No. 97 No speakers.

Local Improvement Ordinance - Establishing The 2014 Cost Of The Upgrading Of Street Cleaning For The East Avenue/Alexander Street Entertainment District Int. No. 98 No speakers.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The South Avenue/Alexander Street Open Space District Int. No. 115 1 speaker: Frank Logan.

Local Improvement Ordinance - Establishing The Cost Of The Assessments Related To The High Falls Business Improvement District Int. No. 117 No speakers.

Local Improvement Ordinance - Care And Embellishment Of Street Malls For 2014 Int. No. 108 No speakers.

Local Improvement Ordinance - Establishing The Operating And Maintenance Costs Of Street Lighting Special Assessment Districts Int. No. 109 No speakers.

Local Improvement Ordinance - Establishing The Operating And Maintenance Costs Of Special Assessment Districts For Streetscape Enhancements, As Amended Int. No. 110 No speakers.

Approving Changes In The Pavement Width Of Fleming Street, Corrigan Street, Hinchler Street, Ruggles Street, And Lakeland Avenue, And A Change In Traffic Flow On A Portion Of Fleming Street As Part Of The Hinchler Street Group Improvement Project Int. No. 111 1 speaker: Lisa Calister.

Approving Geometric Changes To Portland Avenue In Connection With The Portland Avenue Revitalization Project Int. No. 112 4 speakers: Bob Fein, John Reed, Carol Garret, Anita Jones.

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To Main Street Improvements Int. No. 113 1 speaker: Lee Williams.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
April 23, 2014

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 90 - Establishing Maximum Compensation For A Professional Services Agreement For State Lobbying Services, As Amended

Int. No. 91 - Authorizing Amendatory Agreements For Merchant Card Payments

Int. No. 92 Authorizing Professional Services Agreements For Information Technology Services

Int. No. 119 - Resolution Approving Standard Work Day For Retirement Purposes

Int. No. 127 - Resolution Reappointing Marriage Officers

Int. No. 128 - Continuing Ordinance No. 2013-118 And Amending Chapter 62 Of The Municipal Code Relating To A Pilot Program For Food Trucks

The following entitled legislation is being held in Committee:

Int. No. 120 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And

Services Related To Downtown Special Services And Authorizing An Agreement

Int. No. 121 - Continuation Of Local Improvement Ordinance No. 1352 Relating To The Downtown Special Services Program

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-72
Re: Agreement - Capitol Hill Management Services, Inc., State Lobbying Services

Transmitted herewith for your approval is legislation establishing \$70,000 as maximum annual compensation for an agreement with Capitol Hill Management Services, Inc. (CHMS) to research, track, and advocate for the City's legislative and administrative agenda with New York State. The agreement will be for an initial term of eight months (May - December 2014) with the option of two one-year renewals to coincide with the State legislative cycle.

The \$70,000 includes \$60,000 annually for professional services and no more than \$10,000 annually for reimbursable expenses, including travel. These amounts will be pro-rated for the initial eight month term to \$47,000, \$12,000 of which will be funded from the 2013-14 Budget of the Law Department. The balance of that amount, \$35,000, and the cost of any renewals, will be funded from the future annual budgets of the Mayor's Office, contingent upon their approval.

CHMS will provide the following services:

- Present and explain the City's legislative proposals to State officials and staff
- Arrange for introduction, consideration, and approval of specific bills
- Identify, review, and present comments on legislation affecting the City
- Review of the State budget with respect to its impact on the City
- Arrange and coordinate meetings between State and City officials
- Coordinate Rochester's activities with the New York State Conference of Mayors and the other large cities in NY
- General guidance on legislative matters

CHMS was selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-41

Ordinance No. 2014-72
(Int. No. 90, As Amended)

Establishing Maximum Compensation For A Professional Services Agreement For State Lobbying Services

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

Section 1. The sum of ~~\$70,000~~ 65,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for an amendatory professional services agreement between the City and Capitol Hill Management Services, Inc. for the provision of State lobbying services. For the initial eight-month period of the contract, the compensation shall be pro-rated on a monthly basis with the total not to exceed ~~\$47,000~~ 44,000. Of said amount, \$12,000 shall be funded from the 2013-14 Budget of the Law Department and ~~\$35,000~~ 32,000 shall be funded from the 2014-15 Budget of the Office of the Mayor, contingent upon the adoption of said budget. Funding in 2015 and 2016 will be from the budget of the Office of the Mayor for 2014-15, 2015-16 and 2016-17 contingent on the adoption of said budgets.

Section 2. The term of the agreement shall be for an initial term of eight months from May 1, 2014 through December 31, 2014, with two optional one year renewals.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-73
Re: Amendatory Agreements - M&T Bank
And Hamer Enterprises, Credit Card
Processing Services

Transmitted herewith for your approval is legislation authorizing amendatory agreements with Manufacturer's and Traders Trust Company (M&T Bank) and HECORP, Inc. d/b/a Hamer Enterprises (McAllen, Texas) for continued processing of merchant card payments. This amendment will extend these agreements for one year, with an option to renew for an additional year. All other terms and conditions will remain the same.

The agreement with M&T Bank was originally

authorized via Ordinance No. 2005-136 for a three-year term, with three one-year renewals. They were selected through a request for proposal process to provide merchant card services for point of sale and on-line credit card payments, with the exception of taxes. M&T Bank contracts with Hamer Enterprises for the provision of web-based merchant card processing for its clients which allows pass-through of credit card charges onto the credit card user.

Beginning in 2010 (Ord. No. 2010-68), the City also contracts directly with Hamer Enterprises to provide credit card services for tax payments. This allows tax payments to be made by credit card, with a convenience fee (3% of payment above \$100, and a flat \$3 for payments of \$100 or less) charged to the taxpayer. There is no cost to the City for credit card processing for taxes.

In 2011(Ord. No. 2011-55), both agreements were extended for a one-year period in order to minimize the risks inherent to the system interface changes undertaken during the implementation of the City's new financial system in fiscal years 2010-11 and 2011-12. The agreements were again extended (Ord. No. 2012-130) for one year, with a one-year renewal option. These agreements will expire on June 30, 2014.

The City is looking to implement a process and system solution that will handle both on-line and credit card payments under a single platform and will be integrated with the City's financial system.

Developing requirements for this enterprise approach requires evaluation and documentation of related processes for multiple receipt locations. Initially, this project will focus on City receipt locations which already have point of sale credit card devices and accept on-line payments. The time involved with the due diligence required could extend beyond the expiration of the agreements with the current providers.

The request for proposals for an enterprise electronic payment provider is under development and will be issued in May 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-73
(Int. No. 91)

Authorizing Amendatory Agreements For Merchant Card Payments

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

Section 1. The Mayor is hereby authorized to enter into amendatory agreements for the extension of agreements through June 30, 2015, with an additional one-year renewal option, with Manufacturers and Traders Trust Company (M&T Bank) and HECORP, Inc., d/b/a Hamer Enterprises, for the processing of certain merchant card payments,

upon the same terms and conditions as the current agreements.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-74
Re: Term Agreements - IT Consulting Services

Transmitted herewith for your approval is legislation authorizing agreements with consilium1 LLC and Randstad Technologies for information technology consulting services. The aggregate cost of the agreements will not exceed \$60,000 and will be funded from the 2013-14 Budget of Information Technology Department.

The IT Department has a need for a temporary increase in staffing resources due to recent staff vacancies and increased workload. Consilium1 and Randstad will provide assistance as-needed to the Client Support and Network teams of the IT department. Compensation will be based on the firms' hourly rates. Their assignments will include activities such as Help Desk work order resolution; PC configuration, maintenance and deployment; software configuration; network components configuration and deployment; and infrastructure database analysis, correlation, and cleanup.

These two firms were selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-42

Ordinance No. 2014-74
(Int. No. 92)

Authorizing Professional Services Agreements For Information Technology Services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and Randstad Technologies and a professional services agreement between the City and consilium1, LLC for client support and network services for information technology activities. The agreements shall obligate the City to pay hourly rates and shall not exceed the maximum total amount of \$60,000. Said amounts shall be funded from the 2013-14 budget of the Information Technology Department. The term of each agreement shall be for one year.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-19
Re: City Council Standard Work Day and Reporting Resolution

In the July 2010 Regular Meeting of the City Council, passed was the approval of legislation that standardized the City Council workday in accordance with the New York State Comptroller's Regulation 315.4 in the following ways:

1. City Councilmembers enrolled in the New York State Retirement System will be required to keep a 90 day consecutive log of their daily activities and time spent on City Council business; and
2. This Resolution will set the standard City Council workday for full pension credit at 6 hours per day or a thirty hour work week; and
3. All logs will be kept on file with the City Clerk in accordance with Regulation 315.4; and
4. Going forward, new members that are elected to the City Council will be required to keep a 90 day log within the first 120 days of taking office.

This specific piece of legislation is being submitted for Councilmember Michael A. Patterson. Councilmember Patterson took office in December 2013. It should be noted that the 90-day log, as required, has been submitted and is now on file with the Clerk's Office.

Respectfully submitted,
Carolee A. Conklin
Chair, City Council Finance Committee
Councilmember-at-Large

Resolution No. 2014-19
(Int. No. 119)

Resolution Approving Standard Work Day For Retirement Purposes

WHEREAS, members of the City Council who are enrolled in the New York State and Local Retirement System have maintained a log of work-related activities pursuant to 2 NYCRR 315.4 and desire to establish the standard work day and number of days to be reported to the Retirement System for each member based on the submitted logs, and

WHEREAS, the Council has previously established the standard work day for members of the City Council as six hours in a standard thirty hour work week and the standard work day for the Mayor as eight hours for a standard forty hour work week by Resolution No. 2012-13.

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

Section 1. The Council has established a six hour standard work day and a thirty hour standard work week (the equivalent of five standard work days) for members of the City Council.

Section 2. The Council hereby certifies that it has received logs of work-related activities pursuant to 2 NYCRR 315.4 from Councilmember Michael A. Patterson that form the basis for the number of days to be reported.

Section 3. Based on the logs, the monthly reporting for retirement purposes for Councilmember Michael A. Patterson shall be the total number of work days occurring each month based on working the equivalent of full five day standard work weeks throughout the month.

Section 4. The current term of office of Councilmember Michael A. Patterson began on December 17, 2013 and expires on December 31, 2014.

Section 5. This resolution shall take effect immediately.

Adopted by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Spaul - 8.

Nays - None - 0.

Councilmember Patterson abstained because he is affected by the legislation.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-20
Re: Reappointment of Marriage Officers

Transmitted herewith for your approval is legislation appointing Hazel L. Washington, the City Clerk, and Deputy City Clerk Condenssa Barron (effective upon the date she commences employment in that position) as Marriage Officers.

The New York State Domestic Relations Law authorizes the governing body of any village, town or city to appoint one or more Marriage Officers, for a term of up to four years, to have the authority to solemnize a wedding.

The position of Marriage Officer was created in Rochester in September 1995; the City Clerk and Deputy City Clerk have been appointed to serve as Marriage Officers since that time. The fee of \$50.00 charged for providing the service becomes part of the revenue of the City Clerk's licensing account. Approximately 500 ceremonies are performed by the Clerk's Office each year.

Respectfully submitted,
Loretta C. Scott Carolee A. Conklin
President Chair, Finance Committee

Resolution No. 2014-20
(Int. No. 127)

Resolution Reappointing Marriage Officers

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

Section 1. Pursuant to Section 5-10 of the Municipal Code, the Council hereby appoints City Clerk Hazel L. Washington and Deputy City Clerk Condenssa Barron (effective upon the date she commences employment in that position) as Marriage Officers for terms of four years through January 15, 2018, provided that they remain employed in the City Clerk's Office.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-75
Re: Food Trucks

Transmitted herewith for your approval is an ordinance extending the pilot program for food trucks in certain areas of the City, which was authorized in 2013 by Ordinance 2013-118. The original Ordinance was to expire on December 31, 2013, but was extended to April 30, 2014 by Ordinance 2014-53.

The original ordinance called for a report on the pilot program to be completed by December 31, 2013. That report has been drafted and follow-up discussions have begun by a staff working group. The City Clerk has recommended that the pilot be extended further to allow for a full review of all issues, with a report to the Council by September 30, 2014. The extension will also assist businesses in making plans for the current year. Therefore we are proposing an extension of the Ordinance to December 31, 2014.

This ordinance also amends Chapter 62 of the Municipal Code to change food truck vending hours in the Center City vending district by extending the closing time from 1:30 a.m. to 2:00 a.m.

Sincerely,
Loretta C. Scott Carolee A. Conklin
President Chair, Finance Committee

Ordinance No. 2014-75
(Int. No. 128)

Continuing Ordinance No. 2013-118, And Amending Chapter 62 Of The Municipal Code Relating To A Pilot Program For Food Trucks

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

Section 1. Ordinance No. 2013-118, amending Chapter 62 of the Municipal Code, Commercial Travelers, Solicitors and Special Promotional Events, to provide for a pilot program regulating food trucks in certain areas of the City, as amended by Ordinances Nos. 2013-399 and 2014-53, which

is scheduled to expire on April 30, 2014, is hereby continued until December 31, 2014.

Section 2. Subsection (6) of Section 62-7, Additional Center City District, Marina and Harbortown provisions, as amended by Ordinance No. 2014-53 is hereby amended to read as follows:

- (6) No person shall engage in business as a solicitor or attempt to engage in business as a solicitor from a parking space on a public street except in parking spaces reviewed by the Traffic Control Board and approved by the City Clerk and in accordance with regulations established by the Traffic Control Board. The Traffic Control Board may establish the hours that each parking space shall be available for a solicitor's use, which hours shall not be greater than between the hours of 7:00 a.m. and ~~4:30~~ 2:00 a.m. No solicitor shall park a vending unit on a public street in the Center City District between the hours of 2:00 a.m. and 7:00 a.m. No solicitor shall be parked in a specific parking space for more than four consecutive hours.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 120 and
Introductory No. 121
Re: 2014-15 Downtown Special Services Program

Transmitted herewith for your approval is legislation related to the Downtown Special Services Program (DSSI). This legislation will:

1. Authorize a one-year continuation of the special assessment district through which the program is financed. The current authorization expires June 30, 2014.
2. Approve the 2014-15 budget for the program. The proposed budget (attached), totaling \$530,183, was approved at a joint meeting of the DSS Board and Members at their March 18, 2014 meeting.
3. Approve the assessments to be apportioned to the properties within the Downtown Special Services District. Upon application of \$55,000 from the fund balance, \$9,919 from delinquent collections, and \$1,012 of non-assessment district revenues, the total assessment for 2014-15 will be \$464,252.
4. Establish \$529,171 as maximum compensation for an agreement with Downtown Special Services, Inc. for continued administration of the program for the period July 1, 2014 to

June 30, 2015. This agreement will be funded from assessments to participating properties and a portion of the existing fund balance.

The Downtown Special Services Program, established by Council in March 1994 (as the Downtown Guides Program) and re-authorized in 1999, 2004, and 2009, is administered by the non-profit corporation, Downtown Special Services, Inc. The corporation is directed by an 11-member board which includes representatives from downtown businesses, the tourist industry, and City and County government, and managed by the Rochester Downtown Development Corporation (RDDC). DSSI is governed jointly by the Board and by a 20-person membership consisting of downtown residents, churches, and educational and cultural institutions, in addition to government, Police Department, and hospitality sector representatives.

The program provides Safety and Information Services in the downtown area. The Safety Services team includes 21 members who complete rounds throughout downtown on foot and by bicycle in 11 distinct neighborhoods contained in the assessment district service area during the hours of 1:00 - 9:30 p.m. (Monday through Thursdays), 1:00 - 10:30 p.m. (Fridays), 5:00 - 10:30 p.m. (Saturdays), and 5:00 - 9:30 p.m. (Sundays), 358 days per year. They also offer on-demand evening walking service to downtown employees between the hours of 1 p.m. and 9 p.m., Monday through Friday.

The Information Services function of DSSI is currently in transition as the Board voted to close the physical Downtown Information Center effective December 31, 2013. The Information Services Team of two members continues to maintain a portion of the downtown website, in a long-standing partnership between DSSI and the Rochester Downtown Development Corporation (RDDC). A new communications plan is being implemented to address the changing methods in which people get their information through mobile applications and other social media. The use of a mobile cart to disseminate information is also being examined.

The assessment to cover the expenses of the program will be apportioned among all non-homestead properties within the district boundaries, except those owned by the federal or state governments. The apportionment is based on relative assessed valuation. Upon approval of this legislation, the tax levy for individual properties will be prepared and submitted to the Council for consideration. Property owners will be provided with an opportunity to review and comment on the levies.

City staff have been working with RDDC and downtown stakeholders to determine the feasibility of establishing a downtown Business Improvement District (BID), which would replace the Main Street Enhancement District and the Downtown Special Services Program with a comprehensive entity, whose staff would provide safety, hospitality, and information services; business advocacy and promotion; and general BID maintenance.

A public hearing on the assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 120

LOCAL IMPROVEMENT ORDINANCE - ESTABLISHING THE COST OF THE SPECIAL WORK AND SERVICES RELATED TO DOWNTOWN SPECIAL SERVICES AND AUTHORIZING AN AGREEMENT

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

Section 1. The cost of the special work and services to be assessed for the 2014-15 fiscal year for the Downtown Special Services District is established at \$464,252, and said amount shall be allocated and levied in accordance with Local Improvement Ordinance No. 1352, as continued by Local Improvement Ordinance Nos. 1446, 1528 and 1606, and at this meeting.

Section 2. The Mayor is further authorized to enter into an agreement with Downtown Special Services, Inc. for the operation of the Downtown Special Services Program. The agreement shall obligate the City to pay an amount not to exceed \$529,171, and of said amount, or so much thereof as may be necessary, \$464,252 is hereby appropriated from the assessments authorized herein and \$55,000 is hereby appropriated from Downtown Special Services District fund balances as well as \$9,919 from delinquent collections. The agreement shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect on July 1, 2014.

Held in Committee.

Introductory No. 121

CONTINUATION OF LOCAL IMPROVEMENT ORDINANCE NO. 1352 RELATING TO THE DOWNTOWN SPECIAL SERVICES PROGRAM

WHEREAS, by Local Improvement Ordinance No. 1352, the City provided for the levying of local improvement assessments to fund the cost of the Downtown Special Services Program (originally known as the Downtown Guides Program); and

WHEREAS, said Local Improvement Ordinance was extended for five years by Local Improvement Ordinances No. 1446, 1528 and 1606, and the Council desires to continue said Local Improvement Ordinance for an additional period of one year.

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

Section 1. Local Improvement Ordinance No. 1352, relating to the levying of local improvement assessments to fund the cost of the Downtown

Special Services Program, as extended by Local Improvement Ordinances No. 1446, 1528 and 1606, is hereby re-enacted for an additional period of one year, commencing on July 1, 2014.

Section 2. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Palumbo
April 23, 2014

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 93 - Authorizing The Sale Of Real Estate

Int. No. 94 - Amending Ordinance No. 2013-220 And Authorizing Amendatory Agreements For Appraisal Services

Int. No. 95 - Granting Of Permanent Easements To The Rochester Gas & Electric Corporation

Int. No. 96 - Authorizing An Agreement For The Rochester Walks Program And An Agreement With The New York State Department Of Health

Int. No. 116 - Approving The Sale By The Rochester Urban Renewal Agency To The Margaret Woodbury Strong Museum Of A Portion Of The Property Known As 47 Savannah Street In The Southeast Loop Urban Renewal District And Approving An Amended Lease Agreement With Thyroff Tennis, LLC And Approving A Temporary Easement On A Portion Of 47 Savannah Street

Int. No. 122 - Authorizing A Parking Agreement With Gannett Co., Inc.

Int. No. 123 - Authorizing An Amendment To Ordinances Nos. 2011-391 And 2012-8 Relating To The Loan Agreement For The Reconstruction Of The Former Seneca Building

Int. No. 129 - Amending Ordinance No. 2006-254 And Appropriating Funds For The Employer Assisted Housing Initiative And Authorizing Agreements For Homeownership Programs

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 97 - Amending Chapter 120 Of The Municipal Code, Zoning Code, With Respect To Electric Vehicle Charging Stations

Int. No. 98 - Local Improvement Ordinance - Establishing The 2014 Cost Of The Upgrading Of Street Cleaning For The East Avenue/Alexander Street Entertainment District

Int. No. 115 - Local Improvement Ordinance -

Establishing The Cost Of The Special Work And Services Related To The South Avenue/Alexander Street Open Space District

Int. No. 117 - Local Improvement Ordinance - Establishing The Cost Of The Assessments Related To The High Falls Business Improvement District

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-76
Re: Sale of Real Estate

Transmitted herewith for your approval is legislation approving the sale of 22 properties. City records have been checked to ensure that purchasers (except those buying unbuildable vacant lots) do not own other properties with code violations or delinquent taxes, and have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

The first seventeen parcels are buildable vacant lots sold by negotiated sale. Fourteen of these lots (Jay, Orange, Orchard, and Ries Streets) are being sold to Flower City Habitat for Humanity for the development of single-family homes to first time home buyers as part of the JOSANA plan. The lot on North Goodman is being sold to its adjacent owner who will combine the lot with his current parcel. The lot which is the east portion of 803 Monroe Avenue is being sold to the adjacent owner who will combine it with their current parcel. The last lot on Victoria Street was sold via a request for proposal sale, and will be developed in accordance with the proposal and combined with his adjoining parcel.

The next five properties are unbuildable vacant lots, and are being sold for \$1 (as per City policy) to their adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these 22 properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$8,090.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-43

Ordinance No. 2014-76
(Int. No. 93)

Authorizing The Sale Of Real Estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
1124 N. Goodman St	107.29-3-39	40x115	4,600	\$425	Raul Benoit Quintero
614 Jay St	105.82-1-77	50x88	4,400	\$425	Flower City Habitat for Humanity*
E Part of 803 Monroe Av	E Part of 121.67-3-21.1	15x155	2,359	\$600	Young Mens Christian Association of Rochester and Monroe County**
65 Orange St	105.84-3-7	40x195	6,853	\$500	Flower City Habitat for Humanity

87 Orange St	105.84-3-3	40x120	4,825	\$425	Flower City Habitat for Humanity
170 Orange St	105.83-3-35.1	50x118	5,827	\$450	Flower City Habitat for Humanity
213 Orange St	105.83-3-45	40x90	3,600	\$400	Flower City Habitat for Humanity
316-320 Orange St	105.82-2-50	40x140	5,611	\$450	Flower City Habitat for Humanity
327 Orange St	105.82-2-75	26x130	3,614	\$475	Flower City Habitat for Humanity
≠331 Orange St	105.82-2-74	26x130	3,464		
404 Orange St	105.82-3-54.1	77x140	10,806	\$600	Flower City Habitat for Humanity
121 Orchard St	120.26-1-49	33x82	2,930	\$500	Flower City Habitat for Humanity
≠125 Orchard St	120.26-1-48	33x82	2,580		
≠129 Orchard St	105.82-2-81	34x70	2,402		
25 Ries St	105.82-3-12	48x120	6,010	\$450	Flower City Habitat for Humanity
57 Ries St	105.82-3-6	50x121	6,081	\$475	Flower City Habitat for Humanity
12 Victoria St	120.35-2-56.1	66x91	6,006	\$500	Billy Lee H. Washington, Jr.

≠ Indicates vacant lots sold in conjunction with the one listed above it; all will be combined into one parcel

* Board of Directors: Lisa Critchley, Chair; Tom Rogers, Co-Chair; Michael Doody, Treasurer; Tim Scallan, Secretary; Ed Lipski, Member; Laura West, Member; Nagappa Ravindra, Member; John Cake, Member; Bob August, Member; Andrew Carpentier, Member; Heidi Caton, Member; Kevin Duhamel, Member; Sharon Stiller, Member; Michelle Ashby, Member; Reece McKenzie, Member; Tim McCormick, Member; Charles Cummings, Member; Tim Fitzgerald, Member; Mary Hadley, Member; Matthew J. Flannigan, CEO, Staff

** Board of Directors: George M. Romell, President; Michael Russell, Executive Vice President - Operations; Susan M. Reschke, Senior Vice President - CFO

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
71 Costar St	105.59-1-49	36x50	1,807	Israel Vega
634 Dewey Av	105.34-1-55	39x50	1,901	Tamburrino Properties, LLC***
162 Friederich Pk	106.25-1-37	50x65	3,262	Robert Thayer
23.5 Henry St	106.40-2-22.2	17x153	2,334	Ida J. Brown
1027 Joseph Av	091.71-2-39	32x105	3,399	Jaime & Amelia Rivera

***Principals: Frank Tamburrino, Sole Owner & Proprietor

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-77
Re: Amending Ordinance No. 2013-220 -
Term Agreements, Appraisal Services

Transmitted herewith for your approval is legislation amending Ordinance No. 2013-220 which authorized term agreements with four firms for appraisal services required by the City during the 2013-14 fiscal year. That ordinance established \$7,500 as the maximum amount payable to each firm as their services were needed. This amendment will increase available compensation for two of those firms as below:

	<u>Original</u>	<u>Proposed Additional</u>	<u>Amended Total</u>
Pogel, Schubmehl et al	\$7,500	\$2,000	\$9,500
Metro Appraisal Associates	\$7,500	\$1,000	\$8,500

The additional cost will be funded from the 2013-14 Budget of the Department of Neighborhood and Business Development.

This amendment is needed to address the increased demand for appraisal services in 2013-14 required for the Home Rochester program and anticipated acquisitions by the Land Bank Corporation.

All four firms were approached about their availability to provide additional appraisal services. Midland Appraisal Associates, Inc., and Bruckner, Tillet, Rossi, Cahill & Associates, the other two firms under contract with the City for appraisal services, both informed the City they would not be able to meet the accelerated demand.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-77
(Int. No. 94)

Amending Ordinance No. 2013-220 And Authorizing Amendatory Agreements For Appraisal Services

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

Section 1. Ordinance No. 2013-220 is hereby amended and the Mayor is hereby authorized to enter into an amendatory agreement with Pogel, Schubmehl & Ferrara, LLC increasing the maximum amount of that agreement from \$7,500 to \$9,500 and an amendatory agreement with Metro Appraisal Associates increasing the maximum amount of that agreement from \$7,500 to \$8,500 for appraisal services as required by the City during 2013-14.

Section 2. The cost of the increased amounts shall be funded from the 2013-14 Budget of the Department of Neighborhood and Business Development.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-78
Re: Permanent Easements - Rochester Gas
And Electric Corporation (RG&E)
Reliability Project

Transmitted herewith for your approval is legislation authorizing the granting of permanent easements as described below to the Rochester Gas and Electric Corporation (RG&E). These easements on City-owned property are necessary for completion of the RG&E Rochester Area Reliability Project (RARP). The affected properties are in the northeast quadrant of the city and are illustrated on the attached map.

<u>Address</u>	<u>Easement Type</u>	<u>Price</u>	<u>Land Area</u>
25 Silver St	Vegetation Removal	\$500	885 sq ft +/-
22 Silver St	Vegetation Removal	\$3,750	6,035 sq ft +/-
109 Taylor St	Transmission Easement	\$1,500	2,930 sq ft +/-
110 Taylor St	Transmission Easement	\$8,223	16,445 sq ft +/-

The compensation to be paid by RG&E is based on appraisals performed by Kevin Bruckner, MAI, of Bruckner, Tillet, Rossi, Cahill & Associates on February 5, 2014.

RG&E is constructing the RARP in accordance with the New York State Public Service Commission. The RARP is a \$254 million investment to update the electric infrastructure that serves RG&E customers in the Rochester region. RG&E will install electric transmission lines which will increase capacity and reliability of electric service to RG&E customers.

Both above- and below-ground lines are involved; these easements are needed for completion of the upgrades as well as ongoing maintenance.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-44

Ordinance No. 2014-78
(Int. No. 95)

Granting Of Permanent Easements To The Rochester Gas & Electric Corporation

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

Section 1. The Council hereby approves the granting of permanent easements to the Rochester Gas & Electric Corporation over certain properties owned by the City as described below:

<u>Address</u>	<u>SBL#</u>	<u>Easement Type</u>	<u>Price</u>	<u>Land Area</u>
25 Silver St	120.35-1-26	Vegetation Removal	\$ 500	885 sq ft +/-
22 Silver St	120.35-1-27.1	Vegetation Removal	\$3,750	6035 sq ft +/-
109 Taylor St	120.34-2-60	Transmission Easement	\$1,500	2930 sq ft +/-
110 Taylor St	120.34-2-14	Transmission Easement	\$8,223	16445 sq ft +/-

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-79
Re: Agreements - Rochester Walks Program

Transmitted herewith for your approval is legislation related to the sixth and final year of funding from the New York State Department of Health for the Healthy Heart/Rochester Walks Program which is administered by the University of Rochester. This legislation will:

1. Authorize an agreement with the New York State Department of Health (NYSDOH) for the receipt and use of \$71,775 for the Healthy Heart/Rochester Walks Program.
2. Establish \$69,622 as maximum compensation for an agreement with the University of Rochester Center for Community Health for a one year continuation of the program, through March 31, 2015. The additional cost will be funded from the grant appropriated herein.

The balance of the grant, \$2,153, will be retained by the City as compensation for fiscal oversight.

The program was originally funded for five years by the NYSDOH grant as authorized via Ordinance Nos. 2009-443 and 2010-200.

The goal of Rochester Walks is to engage community residents in walking and exploring their neighborhoods and to increase the number of people involved in physical activity in the four City Focused Investment Strategy neighborhoods. Rochester Walks is designed to increase residents' accessibility to interesting, available walking routes and encourage more active lifestyles.

In the first five years of the program, the University of Rochester Center for Community Health has planned, designed and installed routes and route enhancements in eight locations - two in each FIS area. In the sixth year, they will continue to: work with FIS community groups to encourage use of these routes; plan special events to continue promotion of health and community engagement; and report on usage and project outcomes to the New York State Department of Health.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-79
(Int. No. 96)

Authorizing An Agreement For The Rochester Walks Program And An Agreement With The New York State Department Of Health

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the University of Rochester to implement the Rochester Walks Program. The agreement shall be for the period April 1, 2014 through March 31, 2015.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$69,622 annually.

Section 3. The Mayor is hereby authorized to enter into an agreement with the New York State Department of

Health for a grant under the State's Healthy Heart Program for the receipt of \$71,775 for a sixth year of funding for this program.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Palumbo moved to amend Int. No. 116.

The motion was seconded by Councilmember Haag.

The motion was adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-80
Re: Land Transfers - Southeast Loop Urban
Renewal District

Transmitted herewith for your approval is legislation related to a portion of 47 Savannah Street, the site of the Manhattan Square Tennis Bubble and Facility within the Southeast Loop Urban Renewal District. This legislation, in concert with easements authorized in Ordinance No. 2014-44, will facilitate right-of-way land acquisitions needed for the Inner Loop East Transformation project. The subject properties are illustrated in the map accompanying this and the companion Rochester Urban Renewal Agency (RURA) transmittals. This legislation will:

1. Authorize an amendment to the lease agreement between the RURA and Thyroff Tennis, LLC (formerly Thyroff and Thyroff LLC). The lease was originally authorized via Ordinance No. 2004-135, and renewed via Ordinance No. 2006-393 through July 2015. This amendment will remove a 12,203 square foot portion from the leased property.
2. Authorize the sale by the Rochester Urban Renewal Agency (RURA) of the 12,203 square foot portion of 47 Savannah Street to the Margaret Woodbury Strong Museum for compensation in the amount of \$1.00.
3. Authorize the granting of a temporary easement of approximately 1,900 +/- square feet over the portion of parcel described above by RURA to the City of Rochester. Ordinance No. 2014-44 authorized the City's acceptance by donation of this easement.

The parcel being removed from the Thyroff lease is a portion designated as a parking lot along the southerly boundary line of the 47 Savannah Street property. Through a separate arrangement with Thyroff Tennis, the Museum uses it for parking, and will continue to do so.

This action will allow RURA to sell that portion of the premises to the Margaret Woodbury Strong Museum. The sale of this parcel will facilitate the right-of-way land acquisitions required for the Inner Loop East Transformation project. The \$1.00 compensation from the Museum is predicated on the fact that the Museum has donated one parcel, one permanent easement, and four temporary easements (as per Ord. No. 2014-44).

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-80
(Int. No. 116, As Amended)

Approving The Sale By The Rochester Urban Renewal Agency To The Margaret Woodbury Strong Museum Of A Portion Of The Property Known As 47 Savannah Street In The Southeast Loop Urban Renewal District And Approving An Amended Lease Agreement With Thyroff Tennis, LLC And Approving A Temporary Easement On A Portion Of 47 Savannah Street

WHEREAS, the Rochester Urban Renewal Agency (hereinafter called "Agency") has received a proposal from The Margaret Woodbury Strong Museum (hereinafter called "Redeveloper") for the purchase and redevelopment of a portion of 47 Savannah Street In The Southeast Loop Urban Renewal District (hereinafter called "Parcel"), said parcel being approximately 12,203 square feet, to make improvements to its main facility on an adjacent parcel; and

WHEREAS, the Agency desires to sell said Parcel to the Redeveloper on a negotiated basis in accordance with Section 507(2) of the General Municipal Law of the State of New York, as amended; and

WHEREAS, the Redeveloper has submitted to the Agency a Redeveloper's Statement for Public Disclosure and Redeveloper's Statement of Qualifications and Financial Responsibility (Form HUD-6004); and

WHEREAS, Section 105(e) of the Housing Act of 1949, as amended, provides that no understanding with respect to, or contract for, the sale of land within an urban renewal area shall be entered into by a local public agency unless the Agency shall have first made public in such form and manner as may be prescribed by the Department of Housing and Urban Development, the name of the Redeveloper, together with the names of its officers and principal members, shareholders, and investors, and other interested parties; and

WHEREAS, a legal notice has been prepared giving public notice as to the availability for public examination of the Redeveloper's Statement for Public Disclosure, the Redeveloper's proposal, and the proposed disposition terms.

WHEREAS to facilitate this sale, and redevelopment, the Agency proposes to amend its existing

lease with Thyroff Tennis, LLC to release a portion of the parcel covered by that lease; and

WHEREAS the Agency has agreed to grant the City a temporary easement over a portion of the property known as 47 Savannah Street to facilitate the Inner Loop East Transformation Project; and

WHEREAS the City Council pursuant to Article 15 of the General Municipal Law has held a public hearing on April 23, 2014; and

WHEREAS it was determined:

1. That said Redeveloper has complied with the rules, criteria and procedures of the Agency for the selection and designation of redevelopers.
2. That the Redeveloper's Statement for Public Disclosure and Statement of Qualifications and Financial Responsibility (Form HUD-6004) is hereby found satisfactory.
3. That based upon an examination of the aforesaid Redeveloper's Statement of Qualifications and Financial Responsibility (Form HUD-6004), the Agency determines that said Redeveloper possesses the necessary qualifications and financial resources to purchase and redevelop said Parcel in accordance with the Urban Renewal Plan for the project.
4. That the terms of sale and the proposed amendment to the lease and easement are satisfactory.

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

Section 1. That in accordance with the provisions of Section 507(2)(d) of the General Municipal Law of the State of New York, as amended, said Redeveloper is hereby designated as a qualified and eligible Redeveloper to purchase and develop said Parcel in accordance with the established rules and procedures prescribed by the Agency.

Section 2. That the Council approves the action of the Agency by which the Secretary of the Agency is hereby authorized and directed, in accordance with the publication of a legal notice as authorized by the Council of the City of Rochester, to have a copy of the Redeveloper's Statement for Public Disclosure, the Redeveloper's proposal, and the proposed disposition terms available for examination by the public at the office of the Agency.

Section 3. That the Council approves the action of the Agency by which the Secretary of the Agency is hereby authorized to enter into an amendatory lease agreement with Thyroff Tennis, LLC to reduce the size of the leased area by approximately 12,203 square feet, containing such provisions as the Secretary deems appropriate.

Section 4. That the Council approves the action of the Agency by which the Secretary of the Agency is hereby authorized to grant by donation a

temporary easement to the City of Rochester of approximately ~~4,900~~ 2,300 square feet over a portion of the premises known as 47 Savannah Street, containing such provisions as the Secretary deems appropriate.

Section 5. That the Council approves the action of the Agency by which the Secretary of the Agency is hereby authorized to sell the Parcel to the Redeveloper for one dollar and to execute agreements and documents necessary to complete such sale containing such other terms as the Secretary deems appropriate.

Section 6. This resolution shall take effect immediately.

Strikeout indicates deleted text, added text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-81 and
Ordinance No. 2014-82
Re: Midtown Redevelopment Project -
245 E. Main Street, Gannett Co. Inc.

Transmitted herewith for your approval is legislation related to the development of 245 E. Main Street by Seneca Building of Monroe County, LLC (Seneca) for the new offices of the Gannett Co. Inc. Seneca is the entity formed by Pike Development Company LLC for development of the Seneca Building at 20 S. Clinton Avenue. This legislation will:

1. Authorize an amendatory loan agreement with Seneca. The original loan for \$5,000,000 was authorized via Ordinance No. 2011-391 for a term of 15 years at 1% interest for the redevelopment of the Seneca Building at 20 S. Clinton Ave. A subsequent amendment (Ord. No. 2012-08) extended the term to 20 years, maturing in July 2033. The amendment proposed herein will extend the term of the loan by another 18 years, maturing in July 2051, which will reduce the annual payments for years 4-38 from \$312,269 to \$165,306. Payments for years 1-3 remain at \$100,003. The interest rate will remain at 1%.
2. Authorize an agreement with the Gannett Co., Inc. to provide up to 250 parking spaces for their exclusive use in the Midtown Parking Garage at a monthly discounted rate of \$20 less than the standard parking rate (currently \$86). The term of the agreement will be 10 years.
3. Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreements authorized herein.

The City-owned parcel of land at 245 E. Main Street is located at the site of the former Midtown

Plaza. The Rochester Urban Renewal Agency approved the subject parcel as a disposition property in the Midtown Urban Renewal Plan amended on November 9, 2009 (URA-9).

Ordinance No. 2011-390 authorized the sale of 20 S. Clinton Ave. to the Pike Development Company LLC for redevelopment as office space for the Windstream Corporation. The purchase agreement included an exclusive option through June 30, 2015 for the Pike Development Company LLC to acquire 245 E. Main St. from the City for \$1. Pike has elected to exercise that option.

Seneca Building of Monroe County, LLC will construct and own a new 60,000 square foot, three-story building at 245 E. Main St. The first two floors (40,000 square feet) will be leased by the Gannett Co. for a term of 10 years with two five-year renewal options; the third floor will be available for future tenants. The building will be constructed to permit the addition of a fourth and fifth floor should Pike find an appropriate tenant in the future. The design is subject to City review processes including by the Project Review Committee and Site Plan Review by the Department of Neighborhood and Business Development. The Mayor's Office will work closely with NBD through the review process.

The Gannett Co. will relocate their offices and 220 employees currently at 55 Exchange St. to 245 E. Main St. They also plan to include a public "media café" on the first floor.

Project costs have been estimated at \$12,610,000 and will be financed through a bank mortgage loan and owner equity. Extending the term of the City loan will allow Pike to realize annual savings which can then be passed on to Gannett in the form of lower rents that are more in-line with the downtown Rochester office market.

Pike will be seeking a payment in lieu of taxes agreement from COMIDA that would include payments equal to \$3 per square feet of gross building area for a term of 15 years.

The project will create 120 construction jobs. For the project, the developer has committed to workforce hiring goals of 20% for minority and disadvantaged persons and 6.9% for women; and enterprise goals of 20% of the total dollar amount of the construction contracts for the project for small and minority-, disadvantaged-, and women-owned business enterprises.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-45

Ordinance No. 2014-81
(Int. No. 122)

Authorizing A Parking Agreement With Gannett Co., Inc.

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

Section 1. The Mayor is hereby authorized to enter into a parking agreement with Gannett Co., Inc. for parking in the Midtown Parking garage for up to 250 parking spaces at a payment rate which shall be \$20.00 less per parking space per month than the standard monthly rate established by Section 111-119 of the Municipal Code. The agreement shall extend for a term of 10 years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-82
(Int. No. 123)

Authorizing An Amendment To Ordinances Nos. 2011-391 And 2012-8 Relating To The Loan Agreement For The Reconstruction Of The Former Seneca Building

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

Section 1. Ordinances Nos. 2011-391 and 2012-8, which authorized the Mayor to enter into a loan agreement with the Pike Development Company LLC or an entity formed by Pike Development Company LLC whereby the City shall provide a loan to partially finance the costs of the reconstruction of the former Seneca Building at 245 East Main Street to further the Midtown Urban Renewal Plan, is hereby amended to authorize the Mayor to enter into an amendment to the loan agreement to extend the term of the agreement from the current 20 year term to a 38 year term.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-83
Re: Homeownership Programs -
Reappropriation of Funds

Transmitted herewith for your approval is legislation related to the City's homeownership and homebuyer training programs. This legislation will:

- 1. Reappropriate a total of \$107,773 in unused Asset Control Area (ACA) funding for City homeownership programs. The funds will be used for closing cost assistance grants and

homebuyer training services.

- 2. Authorize an amendatory agreement with The Urban League of Rochester to provide homebuyer training services for first-time homebuyers qualified for assistance through City homeownership programs. The original agreement included maximum compensation of \$22,500 (Ord. No. 2013-225). This amendment will increase that amount by \$12,000 for a total of \$34,500. The additional cost will be financed from the ACA funds reappropriated herein.

The City has three programs that provide down payment and closing cost assistance to first-time homebuyers; summary descriptions of the Homebuyer Assistance and Home Purchase Assistance Programs and the Employer Assisted Housing Initiative are attached. For each of these programs, both pre- and post-purchase training is required for first-time homebuyers.

There has been an unexpected demand for homebuyer program participation, particularly for higher income purchasers taking advantage of the Employer Assisted Housing Initiative. The \$45,000 allocation in City Development Funds for this purpose has been exhausted. It is anticipated that up to 25 additional purchasers will be assisted through the reappropriation requested herein.

A total of \$300,000 in ACA funds were authorized for the Special Residential Rehabilitation Projects Program (Ord. No. 2006-254). Two properties were rehabilitated using these funds and subsequently sold to owner-occupants. Since then, the availability of funding for the Home Rochester Program has eliminated the need for the Special Residential Rehabilitation Projects funding. The unused portion of that allocation, \$107,773, has been identified as an appropriate source to assist eligible participants to become city homeowners.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-46

Ordinance No. 2014-83
(Int. No. 129)

Amending Ordinance No. 2006-254 And Appropriating Funds For the Employer Assisted Housing Initiative And Authorizing Agreements For Homeownership Programs

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

Section 1. Ordinance No. 2006-254 appropriating funds for the Special Residential Rehabilitation Program is hereby amended to reduce the amount appropriated for that program by \$107,773 and the same amount is hereby reappropriated to fund homeownership programs including the Employer Assisted Housing Initiative, the Homebuyer Assistance Program, the Home Purchase Assistance

Program, and homebuyer training services.

Section 2. The Mayor is hereby authorized to enter into agreements necessary to implement the Employer Assisted Housing Initiative, the Homebuyer Assistance Program and the Home Purchase Assistance Program including agreements with eligible program participants for down payment and closing cost assistance, and agreements for homebuyer training. The cost of said agreements shall be funded from the amounts appropriated herein.

Section 3. The Mayor is hereby authorized to enter into an amendatory agreement with the Urban League of Rochester for homebuyer training services and the maximum compensation for that agreement which was established as \$22,500 by Ordinance No. 2013-225 shall be increased by \$12,000 to a total of \$34,500. The cost of said agreement shall be funded from the amounts appropriated herein.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-84
Re: Zoning Text Amendment - Electric
Vehicle Charging Stations

Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester to accommodate the installation of electric vehicle charging stations by individuals and businesses. This will include changes to Section 120-163A, 120-163B, and 120-208 as detailed in the attached legislation.

These text amendments are being proposed in accordance with the requirements of the New York State Energy Research and Development Authority (NYSERDA) Cleaner, Greener Communities Grant Phase 2 Implementation Program. The electric vehicle portion of this grant program is intended to streamline the process for the installation of electric vehicle charging stations across New York State. Municipalities with a population larger than 30,000 residents that meet requirements outlined in the NYSERDA grant are eligible for a project incentive payment of \$5,000. By codifying these changes and adding electric vehicle charging stations to the list of permitted accessory structures for both residential and commercial properties, Rochester will be eligible to receive this grant.

The City Planning Commission held an informational meeting on the proposed amendment on March 10, 2014. One person spoke in support of the amendment; no one spoke in opposition. By a vote of 4-0 the Commission recommended approv-

al. The related minutes and recommendation are attached.

A public hearing is required for the zoning text amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-47

Ordinance No. 2014-84
(Int. No. 97)

Amending Chapter 120 Of The Municipal Code, Zoning Code, With Respect To Electric Vehicle Charging Stations

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

Section 1. Section 120-163 of the Municipal Code, as amended, is hereby further amended to read in its entirety as follows:

§ 120-163. Accessory uses and structures.

Accessory structures and uses are permitted in any zoning district in connection with any principal use lawfully existing within such district. No accessory use or structure shall be established or constructed until the primary use or structure is constructed and unless a certificate of zoning compliance evidencing the compliance of such use or structure shall have first been issued in accordance with § 120-189. Accessory uses and structures deemed to be similar in nature and appropriate by the Director of Planning and Zoning may also be allowed in the City of Rochester.

A. For residential uses, the following accessory uses and structures are permitted:

- (1) All detached accessory structures and uses, except for the driveway, accessory to a residential use shall be located in the rear yard including, but not limited to:
 - (a) Child's playhouse.
 - (b) Decks, patios and terraces.
 - (c) Detached residential garage or carport.
 - (d) Fallout shelters, provided that they shall not be used for any principal or accessory use not permitted in the zoning district.
 - (e) Fire escapes but only when located on that portion of the dwelling bordering on the side or rear yard.
 - (f) Freestanding radio antennas and dish antennas limited to one meter or less in diameter.

- (g) Guest house or servants quarters, located in the rear yard, not including kitchen facilities; provided, however, that such structures are used only for the housing of persons employed on the premises or for the occasional housing of guests of the occupants of the principal building and not as rental units or for permanent occupancy as dwelling or rooming units for persons other than such employees.
- (h) Outdoor parking or storage of no more than one boat and boat trailer, camping trailer, ATV, camping vehicle or the like, provided that such boat, trailer or vehicle shall not be used for living, sleeping or housekeeping purposes.
- (i) Private swimming pool and bathhouse and limited to use by the occupants and their guests.
- (j) Solar energy systems.
- (k) Storage structure with a maximum of one.
- (l) Tennis courts limited to use by the occupants thereof and their guests.
- (m) Wind energy conversion systems.
- (2) Attached residential garages, carports, decks and terraces located in the side and rear yard.
- (3) Building management offices when limited to the management of the building in which such office is located or a complex of buildings forming an integrated development of which such building is a part.
- (4) Vehicle repair of noncommercial vehicles on residential premises when performed:
 - (a) By a resident of the premises;
 - (b) On a legal, off-street parking space;
 - (c) On a vehicle owned, licensed and operated for personal use by a resident of the premises; and
 - (d) Between the hours of 7:00 a.m. and 10:00 p.m.
- (5) Fences and walls subject to the provisions of § 120-167, Fences and walls.
- (6) Handicapped access ramps, installed permanently, when located in the side or rear yard, provided that the ramp

does not obstruct access to required parking.

- (7) Vertical wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access to required parking.
- (8) Home occupations, subject to the additional requirements for specified uses in § 120-139.
- (9) Green infrastructure techniques, such as rain barrels, rain gardens, or bios-wales, when located in the side or rear yard.
- (10) Electric vehicle charging stations when located in the side or rear yard.

B. For nonresidential uses, the following accessory uses and structures are permitted:

- (1) Background entertainment/music.
- (2) Commercial vending machines in the PMV, C-3 and M-1 Districts but not within the required setbacks, and, if located within 150 feet of a residential district, the machine shall be screened from the residential district.
- (3) Decks, patios and terraces when associated with a legal outdoor seating/assembly area.
- (4) Detached garage but only in the rear yard.
- (5) Dish antennas two meters or less in diameter located in the rear yard in the C-1, C-2, C-3 and M-1 Districts.
- (6) Fences and walls subject to the provisions of § 120-167, Fences and walls.
- (7) Fire escapes but only when attached to that portion of the dwelling bordering on the side or rear yard.
- (8) Freestanding radio antennas located in the rear yard.
- (9) Parking lots and parking areas, including electric vehicle charging stations.
- (10) Solar energy systems located in the rear yard.
- (11) Storage structure, one, incidental to a permitted use located in the rear yard.
- (12) Temporary outdoor display of retail merchandise subject to the requirements for outdoor display set forth in § 120-176.
- (13) Walkup service windows facing any

public right-of-way when accessory to a permitted retail sales and service use.

- (14) Wind energy conversion system located in the rear yard, subject to site plan approval.
- (15) Handicapped access ramps, installed permanently, when located in the side or rear yard, provided that the ramp does not obstruct access to required parking.
- (16) Vertical wheelchair lifts when located so as not to block windows, force the enclosure of an open front porch, or obstruct access to required parking.
- (17) Green infrastructure techniques, such as rain barrels, rain gardens, or bios-wales, when located in the side or rear yard.

Section 2. Section 120-208 of the Municipal Code, as amended, is hereby further amended to read in its entirety as follows:

§ 120-208. Definitions.

When used in this chapter, the following terms shall have the meanings herein ascribed to them. Where any definition is divided into classifications or categories of activities or uses, each classification or category shall be considered a different activity or use requiring separate application of the provisions of this chapter. No part of any definition shall be varied.

ELECTRIC VEHICLE CHARGING STATIONS

An electric vehicle charging station, also called EV charging station, electric recharging point, charging point and EVSE (Electric Vehicle Supply Equipment), is infrastructure that supplies electric energy for the recharging of plug-in electric vehicles, including all-electric cars, neighborhood electric vehicles and plug-in hybrids.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, added text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1680
Re: East Avenue/Alexander Street
Entertainment District

Transmitted herewith for your approval is legislation reauthorizing the district and establishing \$20,099 as the total assessment for special services for the East Avenue/Alexander Street Entertainment District and the apportionment of the assess-

ment to the subject properties.

This assessment provides for additional trash removal on Saturday and Sunday, from 3:00 to 5:00 am, from April through October, to address trash resulting from the increased activity in the District during this period. The assessment covers the additional cost of these services and is apportioned among the properties within the district that cater to the patrons of the establishments (e.g., bars, restaurants and parking lots who profit from the patrons).

For 2014-15, the fixed fee for additional street cleaning services is determined by type of establishment and square footage as agreed upon by the entertainment establishments and property owners in the district.

All affected properties have been examined and any change in use is reflected in the attached list of subject properties. The operating assessment is apportioned among properties based on type and function of their use, using the following schedule:

Code	Use	Annual Charge
1	Parking lot under 2500 Sq Ft	\$217
2	Parking Lot 2500-4999 Sq Ft	\$422
3	Parking Lot 5000-9999 Sq Ft	\$627
4	Parking Lot 10000 Sq Ft or more	\$855
5	Small Sit down Restaurant	\$217
6	Take out Restaurant/Smaller Bar	\$422
7	Large Bar/Sit Down Restaurant	\$980

This assessment will be included on the annual tax bill of the affected properties. Residential properties with no entertainment venues or parking lots are not affected.

A public hearing on the assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-48

Local Improvement Ordinance No. 1680
(Int. No. 98)

Local Improvement Ordinance - Establishing The 2014 Cost Of The Upgrading Of Street Cleaning For The East Avenue/Alexander Street Entertainment District

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

Section 1. The 2014 budget for the upgrading of street cleaning and trash removal services for the East Avenue/Alexander Street Entertainment District is established at \$20,099 and the charge per

Code shall be as set forth below, and said amount is hereby appropriated from the Special Assessments and shall be assessed and levied on the 2014-15 tax bill in accordance with Local Improvement Ordinance No. 1631 as amended by Local Improvement Ordinance No. 1666.

Code	Use	Annual Charge
1	Parking lot under 2500 Sq Ft	\$217
2	Parking Lot 2500-4999 Sq Ft	\$422
3	Parking Lot 5000-9999 Sq Ft	\$627
4	Parking Lot 10000 Sq Ft or more	\$855
5	Small Sit down Restaurant	\$217
6	Take out Restaurant/Smaller Bar	\$422
7	Large Bar/Sit Down Restaurant	\$980

Section 2. This ordinance shall take effect on July 1, 2014.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1681
Re: South Avenue/Alexander Street Open Space District LIO No. 1537

Transmitted herewith for your approval is legislation establishing \$6,500 as the cost for maintenance of the South Avenue/Alexander Street Open Space District and apportioning this assessment to the subject properties.

This assessment provides for maintenance of the landscaped open space at 62 Alexander Street including cutting grass, trimming shrubs, watering, weeding, trash pick-up and removal, lighting, and fall leaf clean-up. The cost for these services is based on estimates provided by the Business Association of the South Wedge Area. The work will be done through an agreement with South Wedge Area Neighborhood Council, a not-for-profit associated with the Business Association.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-49

Local Improvement Ordinance No. 1681
(Int. No. 115)

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To The South Avenue/Alexander Street Open Space District

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

Section 1. The cost of the special work and services for the 2014-15 fiscal year for the South Avenue/Alexander Street Open Space District is established at \$6,500, which amount shall be assessed and billed on the 2014-15 tax bill in accordance with Local Improvement Ordinance No. 1537. Such amount shall be appropriated from the Special Assessments. Any assessment not paid by its due date shall be a lien upon the property billed and a personal obligation of the property owner.

Section 2. The Council further designates the South Wedge Area Neighborhood Council to perform the special work and services and the Mayor is authorized to enter into an agreement with the Association for this purpose.

Section 3. The agreement shall obligate the City to pay an amount not to exceed \$6,500, and said amount, or so much thereof as may be necessary, is hereby appropriated from the assessments authorized herein.

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

Section 5. This ordinance shall take effect on July 1, 2014.

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - Councilmember McFadden - 1.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1682
Re: High Falls Business Improvement District - 2014-15 Assessment

Transmitted herewith for your approval is legislation establishing \$25,000 as the 2014-15 assessment for the High Falls Business Improvement District (BID), and apportioning that amount among the subject properties. The BID was established by City Council in January 2004 and is governed by a nine-member board consisting of five district building owners, one tenant, and three City representatives.

The amount of the annual levy for the BID was determined when it was established. The amount assessed to an individual property is determined by its primary use, which is verified annually. Funds are used for additional clean-up, beautification, landscaping, marketing, advertising, and promotional materials. Funds have also been used for special purposes such as historic signage and a lunchtime summer concert series in conjunction with the Hochstein School.

Under consideration for future funding are: hiring a

CPA firm, acquiring Board and Directors insurance, an annual sponsorship, holiday lighting, and installation of benches.

The High Falls District Plan outlines a description of the BID boundaries, and the assessment formula used to determine each building owner share. The District Plan is on file in the City Clerk's office.

A public hearing on the assessment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-50

Local Improvement Ordinance No. 1682
(Int. No. 117)

Local Improvement Ordinance - Establishing The Cost Of The Assessments Related To The High Falls Business Improvement District

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

Section 1. The Council hereby approves the continuation of the High Falls Business Improvement District. The 2014-15 budget for the High Falls Business Improvement District is established at \$25,000, which amount shall be assessed and levied in accordance with Local Law No. 1 of 2004. The Mayor is hereby authorized to enter into an agreement with the High Falls Business Improvement District Management Association, Inc. for implementation of the services outlined in the District Plan.

Section 2. This ordinance shall take effect on July 1, 2014.

Passed unanimously.

By Councilmember Haag
April 23, 2014

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 99 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$487,000 Bonds Of Said City To Finance The Cost Of The City Hall Air Handler Replacement Project

Int. No. 100 - Establishing Maximum Compensation For A Professional Services Agreement For The City Hall Air Handler Replacement Project

Int. No. 101 - Amending The Municipal Code With Respect To Wholesale Water Rates

Int. No. 102 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$2,100,000 Bonds Of Said City To Finance The

Reconstruction Of Various Water Mains Related To The 2014 Water Main Extension And Improvements Program In The City

Int. No. 103 - Establishing Maximum Compensation For A Professional Services Agreement For Water Testing Services

Int. No. 104 - Establishing Maximum Compensation For A Professional Services Agreement For Water Testing Services

Int. No. 105 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For The Environmental Cleanup Of 300, 304-308 And 320 Andrews Street And 25 Evans Street

Int. No. 106 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For The Union Street Improvement Project And Appropriating Funds

Int. No. 107 - Amending Ordinance No. 2014-15 Authorizing Participation In The Center City Two-Way Conversion Project - Phase II

Int. No. 118 - Amending Ordinance No. 2014-16 Appropriating Funds And Authorizing An Agreement For The Dewey/Driving Park Avenue Intersection Realignment Project

Int. No. 124 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$81,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Water Mains As A Part Of The Manor Parkway Project In The City

Int. No. 125 - Establishing Maximum Compensation For A Professional Services Agreement For Engineering Services For The Manor Parkway Project And The Russell Street Group Project

Int. No. 126 - Establishing Maximum Compensation For A Professional Services Agreement For Engineering Services For The Thurston Road Revitalization Project

Int. No. 52 - Approving Geometric Changes And Changes In The Pavement Width Of Thurston Road As Part Of The Thurston Road Revitalization Project, As Amended

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 108 - Local Improvement Ordinance - Care And Embellishment Of Street Malls For 2014

Int. No. 109 - Local Improvement Ordinance - Establishing The Operating And Maintenance Costs Of Street Lighting Special Assessment Districts

Int. No. 110 - Local Improvement Ordinance - Establishing The Operating And Maintenance Costs Of Special Assessment Districts For Streets-

cape Enhancements, As Amended

Int. No. 111 - Approving Changes In The Pavement Width Of Fleming Street, Corrigan Street, Hinchey Street, Ruggles Street, And Lakeland Avenue, And A Change In Traffic Flow On A Portion Of Fleming Street As Part Of The Hinchey Street Group Improvement Project

Int. No. 112 - Approving Geometric Changes To Portland Avenue In Connection With The Portland Avenue Revitalization Project

The following entitled legislation is being held in Committee:

Int. No. 113 - Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To Main Street Improvements

Respectfully submitted,
Matt Haag
Elaine M. Spaul
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-85 and
Ordinance No. 2014-86
Re: Agreement - LaBella Associates, City
Hall Air Handler Replacement Project

Transmitted herewith for your approval is legislation related to City Hall Air Handler Replacement Project. This legislation will:

1. Authorize the issuance of bonds totaling \$487,000 and the appropriation of the proceeds thereof to finance design and construction of the project.
2. Establish \$50,000 as maximum compensation for an agreement with LaBella Associates, PC, for design services for the project. The cost of the agreement will be funded from the proceeds of the bonds authorized herein.

The sixteen air handlers, which are part of the overall HVAC system in the City A and B buildings, require replacement. LaBella will provide the necessary design services. They were selected through a request for proposal process which is described in the attached summary.

Design will begin in spring 2014. Construction is planned to begin in December 2014, with completion scheduled for March 2015. The project will result in the creation/retention of the equivalent of 5.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-51

Ordinance No. 2014-85
(Int. No. 99)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$487,000 Bonds Of Said City To Finance The Cost Of The City Hall Air Handler Replacement Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the City Hall Air Handler Replacement Project, in the City (the "Project"). The Project will include the replacement of sixteen air handlers in the City Hall A and B buildings. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$487,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$487,000 bonds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$487,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$487,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a.11(a)(13) of the Local Finance Law, is ten (10) years.

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2014-86
(Int. No. 100)

Establishing Maximum Compensation For A Professional Services Agreement For The City Hall Air Handler Replacement Project

BE IT ORDAINED, by the Council of the City

of Rochester as follows:

Section 1. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and LaBella Associates PC for architectural and engineering services for City Hall Air Handler Replacement Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from a bond ordinance adopted for this Project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-87
Re: Town and Village of Lima Wholesale
Water Rate Increase

Transmitted herewith for your approval is legislation amending Section 23-37 of the Municipal Code by raising the wholesale water rate for Water Districts 1 and 2 in the Town of Lima (including the Village of Lima). The current rate of \$1.53 per 1,000 gallons was established in May 2013. This amendment will increase that amount by 1.45% based on the Consumer Price Index (CPI) for the calendar year 2013. This equals a \$0.02 increase for a proposed rate of \$1.55 per 1,000 gallons.

Lima consumed approximately 69,803,000 gallons of water in 2013. The new rate will go into effect July 1, 2014, and is expected to result in an additional \$1,500 in revenue.

Future rate adjustments to the wholesale rate will be based upon changes in the CPI. Rate changes are expected to be proposed on an annual basis for Lima. The proposed rate increase will go into effect on July 1, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-87
(Int. No. 101)

Amending The Municipal Code With Respect To Wholesale 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 water fees, as amended, is hereby further amended by amending subsection F(9) thereof to read in its entirety as follows:

- (9) Wholesale rate: ~~\$1.50 per 1,000 gallons for the Town of Richmond and \$1.53~~ 1.55 per 1,000 gallons for Water Districts 1 and 2 of

the Town of Lima.

Section 2. This ordinance shall take effect on July 1, 2014.

Strikeout indicates deleted text, added text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-88
Re: Water Main Extensions and
Improvements Program

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$2,100,000 and the appropriation of the proceeds thereof for the 2014 Water Main Extensions and Improvements Program.

The program provides for the scheduled replacement of deteriorated and inadequate water mains. Of the approximately 600 miles within the City's distribution system, 383 miles are over 75 years of age, which is the expected useful life of water mains. Program funds were identified in the 2011-12, 2012-13, and 2013-14 Capital Improvement Programs.

The 2014 program includes water main improvements on the following streets:

- Burling Road
Dewey Ave. to Oakwood Rd.
- Pullman Ave.
Primrose St. to Minder St.
- Independence St.
Maple St. to Bradford St.
- Bradford St.
Independence St. to Barker St.
- Natalie St.
Barker St. to Glide St.
- Spencer St.
Lake Ave. to Cliff St.
- Beckwith Ter.
Cobbs Hill Dr. to S. Winton Rd.
- Dorchester Rd.
N. Winton Rd. to city line
- Raleigh St.
Castleman Rd. to Mt. Hope Ave.

Approximately 8,300 feet of new domestic water main will be funded by this legislation. This project is intended to eliminate future water main breaks, improve water quality and increase water flow for regular consumption and fire fighting.

The streets identified in the legislation are scheduled to begin in spring 2014 with completion late fall 2014. Project inspection will be provided by Water Bureau personnel.

The project results in the creation/retention of the equivalent of 22.8 full-time jobs.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2014-88
(Int. No. 102)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$2,100,000 Bonds Of Said City To Finance The Reconstruction Of Various Water Mains Related To The 2014 Water Main Extension And Improvements Program In The City

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of water mains along the streets described below as part of the 2014 Water Main Extension and Improvements Program in the City (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,100,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,100,000 bonds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

2014 Water Main Extension And Improvement Project:

Water mains reconstruction and improvements on the following streets: Burling Road (Dewey Ave. - Oakwood Rd.), Pullman Ave. (Primrose St. - Minder St.), Independence St. (Maple St. - Bradford St.), Bradford St. (Independence St. - Barker St.), Natalie St. (Barker St. - Glide St.), Spencer St. (Lake Ave. - Cliff St.), Beckwith Ter. (Cobbs Hill Dr. - S. Winton Rd.), Dorchester Rd. (N. Winton Rd. - city line), and Raleigh St. (Castleman Rd. - Mt. Hope Ave.)

Section 2. Bonds of the City in the principal amount of \$2,100,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

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

Section 4. The period of probable usefulness of the class of objects or purposes described in Sec-

tion 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

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

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

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

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

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

having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-89 and
Ordinance No. 2014-90
Re: Agreements - Water Quality Testing

Transmitted herewith for your approval is legislation establishing maximum compensation for agreements with two firms for water quality testing services, as summarized below:

<u>Firm</u>	<u>Compensation</u>	<u>Term</u>
Pace Analytical Services, Inc. Melville NY	\$60,000	4 years
Analytical Services, Inc. Williston VT	\$80,000	4 years

The cost of these agreements will be funded from the 2013-14 and subsequent annual Budgets of the Department of Environmental Services, contingent upon their approval.

Pace Analytical Services, Inc.
Pace will provide routine testing for potable water as required by the New York State Department of Health (NYSDOH). The NYSDOH ensures compliance with Safe Drinking Water Act Standards and specifies the frequency and type of testing to be conducted. Test results provided by Pace will verify that City water meets health-based standards for both inorganic and organic contaminants.

Pace is certified by the National Environmental Laboratory Accreditation Conference and the NYSDOH for these services. They were selected through a request for proposal process described in the attached summary.

Analytical Services, Inc.
This firm will provide testing in conformance with the requirements of the Federal Long Term 2 Surface Water Treatment Rule specifically for the protozoans *Cryptosporidium* and *Giardia*. Testing will focus on the regulatory mandates, but may include other microbiological tests as deemed necessary by City staff.

Analytical Services is certified by the NYSDOH to provide these services. They were selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-52

Ordinance No. 2014-89
(Int. No. 103)

Establishing Maximum Compensation For A Professional Services Agreement For Water Testing Services

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

Section 1. The sum of \$15,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and Pace Analytical Services, Inc. for laboratory testing of drinking water for four years. Said amount shall be funded from the 2013-14, 2014-15, 2015-16, 2016-17 and 2017-18 Budgets of the Department of Environmental Services (Water Fund), contingent upon approval of the latter budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-90
(Int. No. 104)

Establishing Maximum Compensation For A Professional Services Agreement For Water Testing Services

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and Analytical Services, Inc. for laboratory testing of drinking water for four years. Said amount shall be funded from the 2013-14, 2014-15, 2015-16, 2016-17 and 2017-18 Budgets of the Department of Environmental Services (Water Fund), contingent upon approval of the latter budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-91
Re: Amendatory Agreement - Day
Environmental, Inc., Environmental
Cleanup of Andrews Street Site

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Day Environmental, Inc. for additional environmental cleanup of the Andrews Street Site located at 300, 304, and 320 Andrews Street, and 25 Evans Street. The original agreement and subsequent amendments to it are summarized below.

Ordinance	Amount	Purpose	Status
2009-387	\$ 547,350	Site investigation and interim cleanup	Substantially complete
2012-74	213,100	Site investigation and interim cleanup	Substantially complete
2013-71	1,225,000	Supplement investigation and cleanup	Partially complete
Total	\$1,985,450		

The amendment proposed herein will increase compensation by an additional \$277,926 for a total of \$2,263,376. The additional amount will be financed from a New York State Department of Environmental Conservation Grant (\$252,660) and from 2013-14 Cash Capital (\$25,266).

The DEC grant was awarded to the City through the Environmental Restoration Program and authorized via Ordinance No. 2013-422. This additional funding will allow for a more extensive cleanup, which will enable more options for redevelopment of this 1.5 acre site. The remaining balance of the DEC grant, \$17,866, will be used to reimburse 90% of City staff costs required to conduct the project.

Under this current amendatory agreement, Day Environmental will complete the remediation required to obtain NYSDEC Certificate of Completion, including: soil vapor intrusion investigation or mitigation at several adjacent properties, additional soil and groundwater testing and cleanup, and enhanced site cover and restoration improvements.

Continued use of Day for this project is recommended given their extensive understanding of the site conditions and unique experience developing the cleanup remedy for this site.

It is anticipated that the additional remedial work will be completed in 2015.

The amendatory agreement will result in the retention or creation of approximately twelve full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AN-53

Ordinance No. 2014-91
 (Int. No. 105)

Establishing Maximum Compensation For An Amendatory Professional Services Agreement For The Environmental Cleanup Of 300, 304-308 And 320 Andrews Street And 25 Evans Street

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

Section 1. The sum of \$277,926, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Day Environmental, Inc. for environmental cleanup of the City-owned parcels at 300, 304-308 and 320 Andrews Street and 25 Evans Street. The amendatory agreement shall extend until six months after receiving the certificate of completion from the New York State Department of Environmental Conservation. Said amount shall be funded from \$252,660 in funds from the New York State Department of Environmental Conservation and appropriated by Ordinance No. 2013-422 and \$25,266 in 2013-14 Cash Capital of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2014-92
 Re: Union Street Improvement Project -
 University Avenue to Central Park

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

1. Appropriate \$161,355 in anticipated Federal Highway Aid to finance the eligible portion of the project.
2. Authorize an amendatory agreement with C&S Engineers, Inc. for additional resident project representation (RPR) services. The original agreement included \$158,000 as maximum compensation (Ord. No. 2013-143); this amendment will increase that amount by \$5,000 to a total of \$163,000. The additional cost will be financed from previous years' Cash Capital as detailed in the table below.

3. Amend Ordinance No. 2013-143 to revise the source of funding for the RPR services agreement with C&S Engineers, Inc. to reflect a change in federal funding.

The Union Street Improvement Project includes street improvements and enhancements, and is partially located in the Marketview Heights Focused Investment Strategy (FIS) area. The enhancements portion of this project includes curb bump-outs with plantings, enhanced crosswalks, pedestrian-level lighting, and a gateway feature at Central Park.

At the time of award of the project, the Federal Transportation aid funded 57% of the eligible costs, which is much less than the 80% historically provided. Since then, additional Federal aid (\$161,355) has become available and will be applied to the costs of construction and RPR services. The Federal aid now totals \$422,155, which is 79.57% of the eligible portion of the project.

The City, as part of the FIS program, added \$214,000 of extra work to the project. Work included installation of additional sidewalks and curbs, as well as corrosion protection for an existing water main in the roadway. The added work resulted in a thirty-day time extension to the contract and the need for additional RPR services by C&S Engineers. The chart below shows the changes in the funding for this project.

Source	Construction Contract Award	Construction Contract Change	RPR Ord. 2013-143	RPR Change	Total
Fed. Ord. 2013-143	\$236,800		\$24,000		\$260,800
Additional Federal Street Bond Ord. 2012-445	171,593	\$96,848 (92,191)	89,500	\$64,507 (64,507)	161,355 104,395
Prior Years' Cash Capital (Water Fund)	173	(93)		3,800	3,880
Prior Years' Cash Capital	8,494	(4,564)		1,200	5,130
CDBG	<u>397,634</u>		<u>44,500</u>		<u>442,134</u>
Total	\$814,694	\$0	\$158,000	\$ 5,000	\$977,694

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-92
(Int. No. 106)

Establishing Maximum Compensation For An Amendatory Professional Services Agreement For The Union Street Improvement Project And Appropriating Funds

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

Section 1. The sum of \$5,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and C&S Engineers, Inc. for resident project representation services for the Union Street Improvement Project, increasing the total agreement to a maximum of \$163,000. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. The funding for this agreement as provided in Ordinance No. 2013-143 shall be revised as follows: Of said amount, \$24,000 shall be funded from anticipated Federal Highway Administration funds appropriated in Ordinance No. 2013-143, \$64,507 shall be funded from the additional Federal Highway Administration funds from the appropriation made in Section 2, \$44,500 shall be funded from the appropriation made in Section 3 of Ordinance No. 2012-22, and \$24,993 shall be funded from Bond Ordinance No. 2012-445, \$1,200 shall be funded from prior years cash capital, and \$3,800 shall be funded from prior years cash capital (Water fund).

Section 2. The sum of \$161,355 is hereby appropriated from anticipated additional reimbursements from the Federal Highway Administration to fund the Union Street Improvement Project.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-93
Re: Technical Amendment - Ordinance
2014-15, Center City Two-Way
Conversion Project

Transmitted herewith for your approval is legislation amending Ordinance No. 2014-15 to correct the funding

source for the design services agreement with LaBella Associates, P.C. for the Center City Two-Way Conversion Project, Phase II.

The transmittal letter accompanying Ord. No. 2014-15 correctly stated the \$100,000 compensation was to be funded from the Federal Highway Administration reimbursements appropriated therein (\$50,400) and prior years' Cash Capital (\$49,600). However, the legislation stated that the entire amount would be funded from prior years' Cash Capital.

This amendment will correct the legislation showing \$50,400 from Federal aid and \$49,600 from prior years' Cash Capital.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-93
(Int. No. 107)

Amending Ordinance No. 2014-15 Authorizing Participation In The Center City Two-Way Conversion Project - Phase II

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

Section 1. Section 5 of Ordinance No. 2014-15 is hereby amended to read as follows:

Section 5. The sum of \$100,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and LaBella Associates, P.C. for design services for the Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded by \$50,400 from anticipated reimbursements from the Federal Highway Administration (FHWA) to fund the Project and \$49,600 from prior years Cash Capital from the prior years Cash Capital Allocation.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, added text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-94
Re: Amending Ordinance No. 2014-16 -
Dewey/Driving Park Avenue Intersection
Project

Transmitted herewith for your approval is legislation amending Ordinance No. 2014-16 which authorized an agreement with Bergmann Associates for services related to the Dewey/Driving Park Avenue Intersection Project. This amendment will:

1. Correct the legislation to specify this as an "agreement," not an "amendatory agreement" for planning and design services.
2. Modify the source of funding for the agreement to include an additional \$11,574 in 2011-12 Cash Capital. This will replace that same amount that was originally specified to be funded in Federal aid.

At the time of the introduction of the item in January 2014, it was anticipated that the cost of the agreement would be eligible for Federal Transportation Safety funding which reimburses 90% of project costs. However, it was subsequently determined by the New York State Department of Transportation that the project is not eligible for Safety funding and the cost was shifted to Congestion Mitigation/Air Quality (CMAQ) reimbursements. CMAQ reimburses only 80% of projects costs, thus necessitating the increase in Cash Capital.

Original and revised funding sources are summarized below:

Source	Ord. 2014-16	Proposed
Federal Safety	\$349,174	\$ 0
CMAQ	0	337,600
2011-12 Cash Capital	<u>84,426</u>	<u>96,000</u>
Total	\$433,600	\$433,600

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-94
(Int. No. 118)

Amending Ordinance No. 2014-16 Appropriating Funds And Authorizing An Agreement For The Dewey/Driving Park Avenue Intersection Realignment Project

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

Section 1. Ordinance No. 2014-16 is hereby amended to read as follows:

Ordinance No. 2014-16

Section 1. The Mayor is hereby authorized to enter into necessary agreements with the New York State Department of Transportation to participate in and administer the Dewey/Driving Park Avenue Intersection Realignment Project.

Section 2. The sum of \$349,174 337,600 is hereby appropriated from anticipated reimbursements from the Federal Highway Administration to fund the Dewey/Driving Park Avenue Intersection Realignment Project.

Section 3. The sum of \$433,600, or so much thereof as may be necessary, is hereby

established as the compensation to be paid for an ~~amendatory~~ a professional services agreement between the City and Bergmann Associates for engineering planning and design services for the Dewey/Driving Park Avenue Intersection Realignment Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Of said amount, ~~\$349,174~~ 337,600 shall be funded from the funds appropriated in Section 1 and ~~\$84,426~~ 96,000 shall be funded from the 2011-2012 Cash Capital allocation.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, underlined material added

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2014-95 and
Ordinance No. 2014-96

Re: Manor Parkway Reconstruction (South Ave. to Poplar St.) and Russell Street Group Projects

Transmitted herewith for your approval is legislation related to two street projects - the Manor Parkway Reconstruction Project, and the Russell Street Group Project. This legislation will:

1. Establish \$135,000 as maximum compensation for an agreement with Clark Engineers for resident project representation (RPR) services for both projects.
2. Authorize the issuance of bonds totaling \$81,000 and the appropriation of the proceeds thereof to partially finance the water portion of the Manor Parkway Project.

The Manor Parkway Project includes reconstruction of the east end of the street (a new water main, roadway, and sidewalks) to correct parking and drainage issues. A new lighting system will be installed along the entire length of the street. Related pavement width changes and acceptance of right-of-way donations were previously approved in Ordinance Nos. 2013-293 and 2013-294, respectively.

The Russell Group Project (Russell and Elton Streets) improvements include: new granite stone curbs, spot concrete sidewalk replacement, driveway aprons, and catch basin adjustments or replacements.

Manor Parkway will be completed between June and mid-August 2014, and Russell Group between mid-August and October 2014. In order to attract competitive proposals for work during the height of the construction season, the RPR services for these short-term projects have been combined into one agreement. Clark Engineers was selected for RPR Services through a request for proposal process, which is described in the attached summary.

Bids for construction of Manor Parkway were received on April 8, 2014. The apparent low bid of \$423,457 was submitted by Villager Construction, Inc. which is 4.2% more than the engineer's estimate. An additional \$76,412 will be allocated for project contingencies and street lighting. The funding sources for the project based upon the bid amount are as follows:

<u>Funding</u>	<u>Construction</u>	<u>RPR</u>	<u>Contingency</u>	<u>Total</u>
Sewer Bond 2012-445	\$ 33,265		\$ 3,300	\$ 36,565
Water Bond proposed herein	71,888	\$ 9,000	112	81,000
2012-13 Cash Capital (Russell Group)		54,000		54,000
2011-12 Cash Capital	301,569	66,000	64,100	431,669
Prior Years Cash Capital	16,735		1,700	18,435
Prior Years Cash Capital (Russell Group)		6,000		6,000
Prior Years Cash Capital (Water Fund)			7,200	7,200
Total	<u>\$423,457</u>	<u>\$135,000</u>	<u>\$76,412</u>	<u>\$634,869</u>

The minutes from the August 8, 2013 public meeting for Manor Parkway are attached. The construction contract for Manor Parkway and the RPR agreement will result in the creation/retention of the equivalent of six full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-54

Ordinance No. 2014-95
(Int. No. 124)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$81,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Water Mains As A Part Of The Manor Parkway Project In The City

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of certain water mains related to the Manor Parkway Project in the City (the "Project") on the streets listed herein. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$81,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$81,000 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Manor Parkway Project:

Installation of new water mains in connection with the reconstruction of a part of Manor Parkway.

Section 2. Bonds of the City in the principal amount of \$81,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$89,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the

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

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

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

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

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

Passed unanimously.

Ordinance No. 2014-96
(Int. No. 125)

Establishing Maximum Compensation For A Professional Services Agreement For Engineer-

ing Services For The Manor Parkway Project And The Russell Street Group Project

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

Section 1. The sum of \$135,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Clark, Patterson, Lee for resident project representation services for the Manor Parkway Project and the Russell Street Group Project. The agreement may extend until six months after completion and acceptance of the project. Said amount shall be funded as follows: \$9,000 from a Bond Ordinance to be adopted for water main improvements as a part of the Manor Parkway Project, \$54,000 from 2012-13 Cash Capital for the Russell Street Group Project, \$66,000 from 2011-12 Cash Capital and \$6,000 from prior years cash capital.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-97
Re: Agreement - Erdman Anthony Consulting Engineers, Thurston Road Revitalization Project

Transmitted herewith for your approval is legislation establishing \$185,000 as maximum compensation for an agreement with Erdman Anthony Consulting Engineers for resident project representation (RPR) services required for the Thurston Road Revitalization Project. The cost of the agreement will be funded from bonds previously appropriated for the project (Ord. No. 2012-447).

The Project is described in Int. 52, which is currently being held in the Parks and Public Works Committee. A request by the Administration to amend and discharge that item for approval will be submitted prior to the April 17, 2014 Committee Meeting.

Erdman Anthony Consulting Engineers was selected for these services based on their familiarity with the project. A full justification for not issuing a request for proposals is attached.

The project, including RPR and construction, will result in the creation/retention of the equivalent of nineteen full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-55

Ordinance No. 2014-97
(Int. No. 126)

Establishing Maximum Compensation For A

Professional Services Agreement For Engineering Services For The Thurston Road Revitalization Project

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

Section 1. The sum of \$185,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Erdman Anthony Consulting Engineers for resident project representation services for the Thurston Road Revitalization Project. The agreement may extend until six months after completion and acceptance of the project. Said amount shall be funded from Bond Ordinance No. 2012-447 adopted for street improvements as a part of this Project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Introductory No. 52 was introduced February 25, 2014 and appears in its original form with its transmittal letter on page 54 of the current Council Proceedings.

Attachment No. AN-56

Ordinance No. 2014-98
(Int. No. 52, As Amended)

Approving Geometric Changes And Changes In The Pavement Width Of Thurston Road As Part Of The Thurston Road Revitalization Project

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

Section 1. The Council hereby approves the following changes in the pavement width of Thurston Road as part of the Thurston Road Revitalization Project:

**Geometric Changes
Thurston Road Revitalization Project**

1. Pavement width changes on Thurston Road from Brooks Avenue to Ravenwood Avenue:
 - a. Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 59 feet south of the center line of Margaret Street to 34 feet north of the center line of Margaret Street;
 - b. Along the west and east curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from 34 feet north of the center line of Margaret Street to 107 feet north of the center line of Margaret Street;
 - c. Along the east curbline, a decrease from

- an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 12 feet south of the center line of Dunbar Street (107 feet north of the center line of Margaret Street) to 71 feet north of the center line of Dunbar Street;
- d. Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 45 feet south of the center line of Rosalind Street to 26 feet north of the center line of Rosalind Street;
 - e. Along the east and west curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from 38 feet south of the center line of Ellicott Street (26 feet north of the center line of Rosalind Street) to 22 feet south of the center line of Ellicott Street;
 - f. Along the east curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 22 feet south of the center line of Ellicott Street to 54 feet north of the center line of Ellicott Street;
 - g. Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 94 feet south of the center line of Midvale Terrace to 32 feet north of the center line of Midvale Terrace;
 - h. Along the east and west curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from 80 feet south of the center line of Enterprise Street (32 feet north of the center line of Midvale Terrace) to 24 feet south of the center line of Enterprise Street;
 - i. Along the east curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 24 feet south of the center line of Enterprise Street to 66 feet north of the center line of Enterprise Street;
 - j. Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 84 feet south of the center line of Hillendale Street to 64 feet north of the center line of Hillendale Street;
 - k. ~~Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 117 feet south of the center line of Raeburn Avenue to 105 feet south of the center line of Raeburn Avenue; Along the east and west curbline, a decrease from an existing 40 foot width to a proposed width of 28 feet (a narrowing of 6 feet on~~ both sides) from the center line of Sawyer Street to 125 feet north of the center line of Sawyer Street;
- l. Along the east and west curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from the center line of Flanders Street (105 feet south of the center line of Raeburn Avenue) to 64 feet north of the center line of Flanders Street;
 - m. Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 41 feet south of the center line of Raeburn Avenue (64 feet north of the center line of Flanders Street) to 84 feet north of the center line of Raeburn Avenue;
 - n. Along the east curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 58 feet south of the center line of Anthony Street to 34 feet south of the center line of Anthony Street;
 - o. Along the west and east curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from 68 feet south of the center line of Lehigh Avenue (34 feet south of the center line of Anthony Street) to the center line of Lehigh Avenue;
 - p. Along the east curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 53 feet north of the center line of Anthony Street (the center line of Lehigh Avenue) to 87 feet north of the center line of Anthony Street;
 - q. Along the east and west curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from 53 feet north of the center line of Anthony Street (the center line of Lehigh Avenue) to 87 feet north of the center line of Anthony Street;
 - r. Along the east and west curbline, a decrease from an existing 40 foot width to a proposed width of 26 feet (a narrowing of 7 feet on both sides) from the center line of Ravenwood Avenue to 88 feet north of the center line of Ravenwood Avenue;
 - s. Along the west curbline, a decrease from an existing 40 foot width to a proposed width of 33 feet (a narrowing of 7 feet) from 488 feet north of the center line of Ravenwood Avenue to 107 feet north of the center line of Ravenwood Avenue.
- Section 2. The changes shall be made in accordance with plans and specifications approved by

the City Engineer, who may make reasonable modifications to such plans.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1683
Re: Care and Embellishment of Street Malls

Transmitted herewith for your approval is legislation authorizing the care and embellishment of street malls during 2014-15 and the assessment of the associated costs among the benefitted properties.

The budget for each mall is prepared by the respective street mall association and is based on actual costs from the previous year and planned maintenance and improvements for the coming year. Budget items may include: plants, mulch, water, grass seed, repair or replacement of decorative signage, and spring and fall cleanup. Budgets are reviewed at a neighborhood meeting; notice of the meeting is sent by the City to the owners of all affected properties.

<u>Street Mall</u>	<u>Assessment 2014-15</u>	<u>LIO 1669 2013-14</u>	<u>Variance</u>	<u>Reason for Variance</u>
Arnold Pk.	\$1,275	\$ 0	\$1,275	Used surplus to fund 2012-13 & 2013-14
Hazelwood Terr.	740	427	313	No change to annual budget 2013-14 used surplus from 2012-13
Highland Pkwy.*	0	0	0	Continue to use surplus from 2012-13
Hillside Ave.	1,250	1,250	0	N/A
Huntington Pk.	3,600	3,600	0	N/A
Lafayette Pk.	3,456	2,542	914	No change to annual budget 2013-14 used surplus from 2012-13
Nunda Blvd.	7,009	7,489	-480	Added budget for bank charges 2014-15 uses surplus from 2013-14 <i>Note: performs own mowing, trimming, tree care</i>
Oxford St.	10,438	10,720	-282	Decrease in shrubs/trees budget 2013-14 used surplus from 2012-13 <i>Note: performs own mowing, trimming, tree care, leaf pickup</i>
Rundel Pk.	903	903	0	N/A
Sibley Pl.	<u>1,682</u>	<u>2,202</u>	<u>-520</u>	Reduced clean-up and trimming, seeding and street sign budget items <i>Note: saving for a new street sign over multiple years</i>
Total	\$30,353	\$29,133	\$1,220	

*The budget for Highland Parkway is \$200. No assessment is needed due to the surplus balance remaining.

The Department of Environmental Services Bureau of Operations provides mowing and trimming, tree pruning and leaf pickup unless otherwise noted (see Nunda and Oxford).

The costs of the maintenance are apportioned among the benefitted properties on the basis of the specified unit charges for each area. Charges are included on the annual tax bill and are payable in July. Funds are appropriated in the Care and Embellishment Fund.

A public hearing on these assessments is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-57

Local Improvement Ordinance No. 1683
(Int. No. 108)

Local Improvement Ordinance - Care And Embellishment Of Street Malls For 2014

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

Section 1. It is hereby determined that for 2014 the street malls on the following streets shall be maintained at

least in accordance with minimal standards established by the Department of Environmental Services, in the following amounts:

Arnold Park	\$ 1,275
Hazelwood Terrace	740
Highland Parkway	0
Hillside Avenue	1,250
Huntington Park	3,600
Lafayette Park	3,456
Nunda Boulevard	7,009
Oxford Street	10,438
Rundel Park	903
Sibley Place	<u>1,682</u>
Total	\$30,353

Section 2. The district of assessment for each street mall shall consist of all the parcels of property that front on the mall, or on any extension of the street or streets containing the mall up to the next intersecting street. The cost of maintenance of each street mall, in the amount set forth in Section 1, shall be apportioned among the parcels in the district based on each parcel's footage along the street containing the mall.

Section 3. Assessments for the cost of such improvements and work shall be due in one payment and shall be added to the tax rolls for the fiscal year commencing July 1, 2014.

Section 4. The total cost of such improvements and work, estimated at \$30,353, shall be charged as heretofore described in this ordinance and paid from the Local Improvement Fund, and said amount, or so much thereof as may be necessary, is hereby appropriated for the aforesaid purpose.

Section 5. It is hereby determined that it is impracticable to have the work described herein done by competitive contract. Therefore, contracts for the work described herein may be awarded to such qualified persons or neighborhood associations as may be selected from those located in or adjacent to the aforementioned streets and areas.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1684 and
Local Improvement Ordinance No. 1685 and
Re: Local Improvement Ordinance -
Special Assessment Districts

Transmitted herewith for your approval is legislation renewing the Monroe I and Monroe II special assessment districts and establishing the 2014-15 budgets for those and ten other special assessment districts. Ten districts provide for street lighting enhancements, and two for streetscape enhancements. The districts and assessments are as follows:

Local <u>Imp. Ord.</u>	<u>District</u>	<u>2014-15</u>	<u>2013-14</u>	<u>Capital/ Variance</u>	<u>Operating</u>	<u>Type</u>
1547	Wilson Boulevard	\$512.58	\$624.08	\$-111.50	Operating	Street lighting
1502	Lyell Avenue I	\$2,032.32	\$2,633.58	\$-601.26	Operating	Street lighting
1503	Lyell Avenue II	\$2,133.61	\$2,662.12	\$-528.51	Operating	Street lighting
1413	Monroe I	\$1,327.85	\$1,573.51	\$-245.66	Operating	Street lighting
1412	Monroe II	\$578.80	\$685.93	\$-107.13	Operating	Street lighting
1429	Cascade Historic	\$1,528.75	\$1,603.00	\$-74.25	Operating	Street lighting
1430	Cascade Historic	\$6,000	\$5,000	\$1,000	Capital & Operating	Streetscape
1619	Norton Street URD	\$2,815.00	\$2,815.00	\$0	Capital & Operating	Streetscape
1601	Norton Street URD	\$1,290.96	\$1,479.93	\$-188.97	Operating	Street lighting
1472	Lake Avenue	\$3,769.79	\$4,424.92	\$-655.13	Operating	Street lighting
1552	St. Paul Street	\$484.62	\$581.38	\$-96.76	Operating	Street lighting
1627	East Main Street	\$336.45	\$399.14	\$-62.69	Operating	Street lighting

The history and purpose of each district are described in the attached summary.

A public hearing on renewing the Monroe districts and the assessments for all districts is required.

Respectfully submitted,

Lovely A. Warren
Mayor

Attachment No. AN-58

Local Improvement Ordinance No. 1684
(Int. No. 109)

**Local Improvement Ordinance - Establishing
The Operating And Maintenance Costs Of
Street Lighting Special Assessment Districts**

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

Section 1. The following amounts are hereby
established and the new assessments shall be allo-
cated and levied against the benefited properties in
accordance with the applicable local improvement
ordinances for the operation and maintenance of
special assessment districts for street lighting en-
hancements during 2014-15:

<u>Street Lighting District</u>	<u>Amount</u>	<u>LIO</u>
Wilson Boulevard	\$ 512.28	1547
Lyell Avenue I	2,032.32	1502
Lyell Avenue II	2,133.61	1503
Monroe Avenue I	1,327.85	1672
Monroe Avenue II	578.80	1671
Cascade Historic	1,528.75	1429
Norton Street Urban Renewal	1,290.96	1601
Lake Avenue	3,769.79	1472
St. Paul Street	484.62	1552
East Main Street	336.45	1627

Section 2. This ordinance shall take effect on
July 1, 2014.

Passed unanimously.

Local Improvement Ordinance No. 1685
(Int. No. 110, As Amended)

**Local Improvement Ordinance - Establishing
The Operating And Maintenance Costs Of Spe-
cial Assessment Districts For Streetscape En-
hancements**

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

Section 1. The following amounts are hereby
established and the new assessments shall be allo-
cated and levied against the benefited properties in
accordance with the applicable local improvement
ordinances for the operation and maintenance of
special assessment districts for streetscape en-
hancements during 2014-15:

<u>Streetscape District</u>	<u>Amount</u>	<u>New LIO</u>
Cascade Historic	\$ 6,000	1430
Norton Street Urban Renewal	2,815	1619
Mt. Hope	30,000	1652

Section 2. This ordinance shall take effect on

July 1, 2014.

Added text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-99
Re: Hincher Group Street Improvement Project

Transmitted herewith for your approval is legisla-
tion related to the Hincher Group Street Improve-
ment project, which includes Corrigan, Hincher,
Fleming and Ruggles Streets and Lakeland Avenue.
This legislation will:

1. Authorize pavement width changes as fol-
lows:
 - a. Corrigan Street from Estes Street to Lake
Avenue:
 - Reduce from a varying width of approx-
imately 28 feet to 26 feet beginning at
Estes St. to approximately 230 feet east
of Estes St.
 - Widen to 34 feet from the previous
point for approximately 106 feet
 - Narrow to 26 feet from the previous
point for approximately 30 feet to Lake
Ave; and
 - b. Hincher Street from the western dead end
to Lake Avenue:
 - Increase from a varying width of ap-
proximately 22 feet to 24 feet
 - c. Fleming Street from Ruggles Street to the
eastern end:
 - Increase from a varying width of ap-
proximately 22 feet to 24 feet beginning
at Ruggles Street to Estes Street
 - From a varying width of approximately
17 feet to 20 feet beginning at Estes
Street to a point 170 feet east of Estes
Street
 - d. Ruggles Street between Lakeland Avenue
and Fleming Street:
 - Increase from a varying width of ap-
proximately 18 feet to 24 feet
 - e. Lakeland Avenue from Ruggles Street to a
point 50 feet east of Ruggles Street:
 - Reduce from a varying width of approx-
imately 35 feet to 24 feet
2. Authorize a change in direction of Fleming
Street from one-way westbound to two-way
between Estes Street and a point 170 feet east

of Estes Street.

3. Authorize acquisitions, by negotiation or condemnation, of 16 parcels noted below to be dedicated, at a later date, as additional right-of-way.

The unimproved streets in this residential area will be reconstructed to include new pavement; installation of curbs, sidewalks, and driveway aprons; and street lighting upgrades. The pavement width changes are needed to accommodate the curb installation.

The acquisitions on Fleming Street, Ruggles Street and Lakeland Avenue will be dedicated as additional rights-of-way and are required for the installation of the proposed improvements. The values of these properties were established by an independent appraisal performed by Bruckner, Tillett, Rossi, Cahill and Associates as authorized in Ordinance 2013-220. The total acquisition costs, including closing costs, will not exceed \$18,400 and will be financed from 2011-12 Cash Capital.

<u>Address</u>	<u>Property Owner</u>	<u>Sq. Ft.</u>	<u>Value</u>
20 Fleming	Anthony & Theresa Agostinelli	1695	\$2,600
23 Fleming	Ihor Korda	1340	\$4,500
25 Fleming	Ihor Korda	396	\$1,150
27 Fleming	Ihor Korda	360	\$900
33 Fleming	Kathleen A. Strauss	360	\$750
45 Fleming	John E. Tachin	180	\$300
46 Fleming	Rose M. Turtu	60	\$150
48 Fleming	Suzanne Armstrong	60	\$150
49 Fleming	Claire L. Drexler & Elisa J. Callister	90	\$200
50 Fleming	David Snook	60	\$150
51 Fleming	Sarah B. Plocher	60	\$150
54 Fleming	Rockbridge Properties LLC	90	\$1,050
59 Fleming	John M. & Florence M. Hamilton	144	\$300
76 Fleming	Michael Paliani	60	\$150
80 Fleming	Jason R. Pastore	75	\$200
82 Lakeland	Igor Podzorov	36	\$50

In addition to the proposed acquisitions listed, a portion of the City-owned lot at 90 Ruggles Street will be dedicated as additional Hinchler Street right-of-way for the installation of the dead end turnaround on the west end of Hinchler St. Authorization of the dedications and the related Official Map Amendments for the associated properties will be presented to the City Planning Commission and

City Council at a future date.

The estimated cost of construction, including inspection and contingencies is \$1,250,000.

Design of the project is scheduled to be completed in spring 2014. Construction is expected to begin in summer 2014, and be completed by spring 2015.

Public informational meetings were held on July 16, 2012 and December 10, 2013. Minutes from those two meetings are attached. The pavement width changes were endorsed by the Traffic Control Board at its April 1, 2014 meeting.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-59

Ordinance No. 2014-99
(Int. No. 111)

Approving Changes In The Pavement Width Of Fleming Street, Corrigan Street, Hinchler Street, Ruggles Street, And Lakeland Avenue, And A Change In Traffic Flow On A Portion Of Fleming Street As Part Of The Hinchler Street Group Improvement Project

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

Section 1. The Council hereby approves the following changes in the pavement width of Fleming Street, Corrigan Street, Hinchler Street, Ruggles Street, and Lakeland Avenue as part of the Hinchler Street Group Improvement Project:

1. Corrigan Street:

- from an existing varying width of approximately 28 feet to 26 feet from Estes Street to approximately 230 feet east of Estes Street;
- widen to 34 feet from the previous point for approximately 106 feet;
- narrow to 26 feet from the previous point for approximately 30 feet to Lake Avenue.

2. Hinchler Street:

- from an existing varying width of approximately 22 feet to 24 feet from the Western dead-end east to Lake Avenue.

3. Fleming Street:

- from an existing varying width of approximately 22 feet to 24 feet from Ruggles Street to Estes Street;
- from an existing varying width of approx-

imately 17 feet to 20 feet beginning at Estes Street to a point 170 feet east of Estes Street.

4. Ruggles Street:

- from an existing varying width of approximately 18 feet to 24 feet from Fleming Street to Lakeland Avenue.

5. Lakeland Avenue:

- from an existing varying width of approximately 35 feet to 24 feet from Ruggles Street to a point 50 feet east of Ruggles Street.

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

Section 3. The Council hereby approves a change in the traffic flow on a portion of Fleming Street from one-way westbound between Lake Avenue and Estes Street to two-way from Estes Street to a point 170 feet east of Estes Street.

Section 4. The Council hereby authorizes the acquisition by negotiation or condemnation of the parcels described below, to be dedicated as additional right of way:

Address	Sq. Ft.	Property Owner	Value
20 Fleming	1695	Anthony & Theresa Agostinelli	\$2,600
23 Fleming	1340	Ihor Korda	\$4,500
25 Fleming	396	Ihor Korda	\$1,150
27 Fleming	360	Ihor Korda	\$900
33 Fleming	360	Kathleen A. Strauss	\$750
45 Fleming	180	John E. Tachin	\$300
46 Fleming	60	Rose M. Turtu	\$150
48 Fleming	60	Suzanne Armstrong	\$150
49 Fleming	90	Claire L. Drexler & Elisa J. Callister	\$200
50 Fleming	60	David Snook	\$150
51 Fleming	60	Sarah B. Plocher	\$150
54 Fleming	90	Rockbridge Properties LLC	\$1,050
59 Fleming	144	John M. & Florence M. Hamilton	\$300
76 Fleming	60	Michael Paliani	\$150
80 Fleming	75	Jason R. Pastore	\$200
82 Lakeland	36	Igor Podzorov	\$50

The cost of said acquisitions and closing costs, which shall not exceed \$18,400 shall be funded from 2011-12 cash capital funds.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-100
Re: Portland Avenue Revitalization Project -
Lux Street to Norton Street

Transmitted herewith for your approval is legislation related to Portland Avenue Revitalization project. This legislation will:

1. Authorize geometric changes as described in the attached legislation. These changes will accommodate the addition of curb bump-outs at multiple intersections to enhance safety for pedestrians and drivers.
2. Authorize the acquisition, by negotiation or condemnation, of a *de minimus* parcel at 852-854 Portland Avenue owned by Community Mutual Inc. The 10.6 square foot parcel has been valued at \$100 by an independent appraisal performed by Bruckner, Tillett, Rossi, Cahill & Associates. The total acquisition costs, including closing costs, will not exceed \$1,200 and will be financed from bonds previously appropriated for this project (Ord. No. 2012-449).

This project includes the installation of the following:

- gateway features
- decorative sidewalks
- banners
- street trees
- ADA compliant curb ramps
- decorative crosswalks
- decorative street lighting
- curb bump-outs for safe pedestrian crossing
- bicycle facility pavement markings and signage
- safety improvements at the curve near the intersections of Mohawk and Chapin Streets
- replacement of lead and galvanized water services

Design of the project by KCI Engineering (Ord. No. 2013-142) will be completed in spring 2014. Construction will begin in summer 2014, with substantial completion before the end of 2014.

This project is one of the actions recommended in the Portland Avenue Revitalization Plan, which was developed by a steering committee supported by the City in response to community efforts. Steering Committee meetings to discuss this aspect of the Plan were held on August 20 and December 17, 2013. A public informational meeting was held on January 9, 2014. Minutes of those meetings are

attached. The pavement width changes were endorsed by the Traffic Control Board at their April 1, 2014 meeting.

The associated Official Map Amendment dedicating the *de minimus* parcel as right-of-way will be presented to the City Planning Commission and City Council at a future date.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-60

Ordinance No. 2014-100
(Int. No. 112)

Approving Geometric Changes To Portland Avenue In Connection With The Portland Avenue Revitalization Project

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

Section 1. The Council hereby approves the following changes in the pavement width of Portland Avenue as part of the Portland Avenue Revitalization Project:

- 1) Transitioning from 42 feet wide to 38 feet wide beginning at Duman Street to a point approximately 310 feet south of Barberry Terrace for a distance of 110 feet.
- 2) Transitioning from 42 feet wide to 39 feet wide beginning at a point approximately 110 feet south of Oneida Street to Oneida Street for a distance of 110 feet.
- 3) Transitioning from 42 feet wide to 35 feet wide beginning at Oneida Street to a point approximately 310 feet south of Grafton Street for a distance of 75 feet.
- 4) Transitioning from 42 feet wide to 35 feet wide beginning at a point approximately 80 feet south of Grafton Street to Grafton Street for a distance of 80 feet.
- 5) Transitioning from 42 feet wide to 35 feet wide beginning at a point approximately 65 feet south of Delamaine Drive to Delamaine Drive for a distance of 65 feet.
- 6) Transitioning from 42 feet wide to 39 feet wide beginning at Delamaine Drive to a point approximately 230 feet south of Mohawk Street for a distance of 100 feet.
- 7) Transitioning from 42 feet wide to 45 feet wide beginning at a point approximately 130 feet north of Delamaine Drive to a point approximately 65 feet south of Mohawk Street for a distance of 130 feet.

- 8) Transitioning from 42 feet wide to 35 feet wide beginning at a point approximately 60 feet south of Furlong Street to Furlong Street for a distance of 60 feet.
- 9) Transitioning from 42 feet wide to 35 feet wide beginning at Furlong Street to a point approximately 180 feet south of Turpin Street for a distance of 60 feet.
- 10) Transitioning from 42 feet wide to 35 feet wide beginning at a point approximately 90 feet south of Turpin Street to Turpin Street for a distance of 90 feet.
- 11) Transitioning from 42 feet wide to 39.5 feet wide beginning at Turpin Street to a point approximately 170 feet south of Dickinson Street for a distance of 70 feet.

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

Section 3. The Council hereby authorizes the acquisition by negotiation or condemnation of a portion of one parcel described below at a cost including closing costs not to exceed \$1200 to be funded from Bond Ordinance No. 2012-449:

<u>Address</u>	<u>Property Owner</u>
<u>Sq. Ft.</u>	<u>Est. Value</u>
852-854 Portland	Community Mutual Inc.
10.6	\$100

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Haag moved to discharge Int. No. 113 from Committee.

The motion was seconded by Councilmember Spaul.

The motion was adopted by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - Councilmember McFadden - 1.

Councilmember Haag moved to amend Int. No. 113.

The motion was seconded by Councilmember Palumbo.

The motion was adopted by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - Councilmember McFadden - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1686
 Re: Downtown Enhancement District
 2014-15 Budget

Transmitted herewith for your approval is legislation approving the 2014-15 Budget of the Downtown Enhancement District and authorizing the apportionment of the budget costs among the properties within the District.

The District, established in 1989, and reauthorized regularly since then, provides an enhanced level of care and maintenance in the downtown area. These services may include sidewalk cleaning, sweeping, snow removal and litter removal, as well as installation, repair and maintenance of improvements such as benches, planters and street lighting.

The District includes all properties within the area between Church Street, Bragdon Place and Pleasant Street on the north, Chestnut Street on the east, Broad Street on the south, and Plymouth Avenue on the west; and all other properties within 1,600 feet of Main Street that were included in the original enclosed walkway system. An advisory committee, consisting of eleven representatives of property owners or tenants, oversees the administration of the program by City staff.

Unless otherwise approved by the advisory committee, the annual costs are restricted by a formula using the base year (1989-90) cost of \$400,000 adjusted by the cumulative increase in the consumer price index (CPI). The total cost is apportioned among the properties, based equally on assessed valuation and gross area of each property. Also, properties directly on Main Street are weighted at twice the factors of others.

The maximum permissible budget for 2014-15, based on the 25 year cumulative increase in the CPI (95%), is \$780,000. The proposed budget is \$595,800, an increase of \$27,800 (4.9%). To partially offset the employee benefits' increase, \$120,000 from the fund balance will be applied. The budget below was approved 5-0 by the District Advisory Committee on January 16, 2014.

<u>Expense</u>	<u>2014-15</u>	<u>2013-14</u>	<u>Variance</u>
Personnel total	\$641,900	\$560,500	\$81,400
<i>Salaries and wages</i>	426,200	411,000	15,200
<i>Employee benefits</i>	215,700	149,500	66,200
Operational expenses	128,900	127,900	1,000
<i>Materials and supplies</i>	63,600	63,000	600
<i>Contractual services</i>	65,300	64,900	400
Contingency (wage increase)	0	18,600	-18,600
Less Operating revenues	-55,000	-55,000	0
Required assessment	715,800	652,000	63,800

Use of fund balance	-120,000	-84,000	-36,000
Total Budget	\$595,800	\$568,000	\$27,800

A public hearing on the district assessment is required.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AN-61

Local Improvement Ordinance No. 1686
 (Int. No. 113, As Amended)

Establishing The Cost Of The Special Work And Services Related To Main Street Improvements Of The Downtown Enhancement District

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

Section 1. The cost of the special work and services for the 2014-15 fiscal year for the Downtown Enhancement District to be allocated and levied in accordance with Local Improvement Ordinance No. 1291, as continued by Local Improvement Ordinances No. 1355, 1444, 1531 and 1597, is established at \$595,800, except that Zone 2 shall continue to include those properties which have been within the District as a result of their previously having enclosed walkway access to Main Street. Said amount, and the sum of \$120,000 from the fund balance and \$55,000 from operating revenues, or so much thereof as may be necessary, are hereby appropriated to fund the Downtown Enhancement District for the fiscal year.

Section 2. This ordinance shall take effect on July 1, 2014.

Strikeout indicates deleted text, added text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - Councilmember McFadden - 1.

By Councilmember McFadden
 April 23, 2014

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 114 - Authorizing An Application And Agreements For The 2014 Summer Food Service Program For Children

Respectfully submitted,
 Matt Haag

Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-101
Re: Summer Food Service Program

Transmitted herewith for your approval is legisla-
tion authorizing an agreement with the New York
State Department of Education for the receipt and
use of \$337,200 in anticipated reimbursements for
the 2014 Summer Food Service Program (SFSP),
and establishing \$260,500 as maximum compensa-
tion for an agreement with the Rochester City
School District for the preparation and delivery of
the breakfasts and lunches. The reimbursement
amount will be included in the proposed 2014-15
Budget of the Department of Recreation and Youth
Services to fund the agreement and City costs,
contingent upon approval.

SFSP provides free breakfast and lunch to City
children aged 18 and under and to disabled persons
over 18 who are enrolled in a school year program
for children with disabilities. The program will
operate June 30 to August 22. Sites will be se-
lected based upon proximity to youth service activi-
ties and satisfactory past participation in the pro-
gram.

The program is administered by the City and reim-
bursed by the State Education Department, using
federal funding. The District will prepare and
deliver the meals to the program sites. Federal
regulations strongly encourage the City to first
consider the local school district as the source for
obtaining meal service, and do not require competi-
tive bid procedures when doing so. The federal
reimbursement rates and projected numbers of
meals for 2014 are as follows:

<u>Meals</u>	<u>Rate per Meal</u>	<u>Reimbursement</u>
Breakfast		
46,900	\$1.9850	\$ 93,097
Lunch		
70,000	\$3.4875	244,125
116,900	Rounded Total	\$337,200

In addition to funding the agreement with the Dis-
trict, a total of \$76,700 will be used to fund: the
salaries of a coordinator, two monitors, and a clerk
(\$48,000); refuse pickup (\$16,200); mileage
(\$2,000); outreach (\$6,200); and supplies (\$4,300).

The 2013 program was authorized via Ordinance
No. 2013-151. The number of meals served in past
years are provided below:

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Breakfast			
40,275	39,178	34,725	39,146

Lunch				
66,119	65,737	57,577	58,281	
Total				
106,394	104,915	92,302	97,427	

A 2012 assessment by the Rochester Area Commu-
nity Foundation indicates that there is a greater
need for summer meals to be provided to children
in the city. In response, there will be an increased
effort this year to publicize the program, as described
in the attachment. A consequent increase in the
number of meals is being planned. The proposed
menu and the preliminary site list are attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-62

Ordinance No. 2014-101
(Int. No. 114)

**Authorizing An Application And Agreements
For The 2014 Summer Food Service Program
For Children**

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

Section 1. The Mayor is hereby authorized to
submit an application to and enter into an agree-
ment with the New York State Department of Edu-
cation for the funding for the 2014 Summer Food
Service Program For Children.

Section 2. The Mayor is hereby further autho-
rized to enter into an agreement with the Rochester
City School District for the preparation and deli-
very of meals pursuant to the program, contingent
upon receipt of such funding.

Section 3. The agreement shall obligate the City
to pay an amount based on the unit cost of the
meals, not to exceed \$260,500, and said amount, or
so much thereof as may be necessary and received,
shall be funded from the 2014-15 Budget of the
Department of Recreation and Youth Services,
contingent upon adoption of said budget.

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

Section 5. This ordinance shall take effect im-
mediately.

Passed unanimously.

The meeting was adjourned at 8:27 p.m.

HAZEL L. WASHINGTON
City Clerk

REGULAR MEETING
MAY 20, 2014

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 9

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:

Environmental Services

*Edward Blakley

*Lawrence A. Brady

Emergency Communications

David E. Foster

Fire Department

*Martine W. McMillan

**Did not attend meeting.*

APPROVAL OF THE MINUTES
By Councilmember Ortiz

RESOLVED, that the minutes of the Regular Meeting of April 23, 2014 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges 4140-14

Quarterly Report - Professional Services Agreements 4141-14

The Director of Planning and Zoning submits a Notice of Environmental Determination 4142-14

The Council submits Disclosure of Interest Forms from Councilmember Haag on Int. Nos. 141,172 and 181, Councilmember Ortiz on Int. Nos. 147 and 180, and Councilmember Palumbo on Int. No. 149.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Spaul submitted a petition with 916 signatures in favor of banning fracking. Petition No. 1696

Councilmember McFadden presented a letter from Joel Seligman, President of University of Rochester, in support of Int. No. 183, Fair Employment Screening. Petition No. 1697

PUBLIC HEARINGS.

Pursuant to law public hearing will now be had on the following matter:

Local Improvement Ordinance - Establishing The Operating And Maintenance Costs Of Neighborhood Commercial Or Residential Parking Areas, As Amended Int. No. 136 No speakers.

Continuation Of Local Improvement Ordinance No. 1534 Relating To The Culver/Merchants Commercial Parking Lot Int. No. 137 No speakers.

Approving The Consolidated Community Development Plan/2014-15 Annual Action Plan Int. No. 151 No speakers.

Authorizing Amendatory Community Development Program Plans Int. No. 154 No speakers.

Amending Chapter 120 Of The Municipal Code, Zoning Code, With Respect To Temporary Uses In Relation To Food Truck Vending Int. No. 155 No speakers.

Changing The Traffic Flow On Hubbell Park Between Greig Street And South Fitzhugh Street From Two-Way To Eastbound One-Way Int. No. 161 No speakers.

Approving Geometric Changes To Russell Street In Connection With The Russell Street Group Project, As Amended Int. No. 162 No speakers.

Approving Geometric Changes To Streets In Connection With The Center City Two-Way Conversion Project Int. No. 164 No speakers.

Changing The Traffic Flow On St. Paul Street Between East Main Street And Cumberland Street From One-Way Southbound To Two-Way Traffic Int. No. 165 No speakers.

Changing The Traffic Flow On North Clinton Avenue Between East Main Street And Cumberland Street From One-Way Northbound To Two-Way Traffic Int. No. 166 1 speaker: Charles Scardino.

Changing The Traffic Flow On Bittner Street Between Andrews Street And Cumberland Street From Two-Way Traffic To One-Way Southbound, As Amended Int. No. 167 No speakers.

Changing The Traffic Flow On Stone Street Between The Stone Street Parking Garage And East Main Street From One-Way Northbound To Two-Way Traffic Int. No. 168 No speakers.

Changing The Traffic Flow On Division Street Between St. Paul Street And North Clinton Avenue From One-Way Eastbound To One-Way Westbound Traffic Int. No. 169 No speakers.

Approving Geometric Changes To Waring Road And Property Acquisitions In Relation To The

- Waring Road Street Improvement Project Int. No. 171 2 speakers: Delevan Smith, Sharon Logan-Smith.
- Approving Geometric Changes To South Plymouth Avenue, As Amended Int. No. 172 No speakers.
- Approving Geometric Changes To Streets As Part Of The Inner Loop East Transformation Project Int. No. 173 No speakers.
- Changing The Traffic Flow On South Union Street Between Monroe Avenue And East Avenue From One-Way Northbound To Two-Way Traffic Int. No. 174 No speakers.
- Changing The Traffic Flow On North Union Street Between East Avenue And East Main Street From One-Way Northbound To Two-Way Traffic Int. No. 175 No speakers.
- Changing The Traffic Flow On Howell Street Between Monroe Avenue And South Union Street From One-Way Eastbound To Two-Way Traffic Int. No. 176 No speakers.
- Changing The Traffic Flow On Dryer Alley Between South Union Street And Anson Place From One-Way Westbound To Two-Way Traffic Int. No. 177 No speakers.
- Amending Local Improvement Ordinance No. 1679 - Security At The Public Market Int. No. 185 No speakers.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2014-21 and
 Ordinance No. 2014-102
 Re: Grant Applications - 2014-15 New
 York State Consolidated Funding
 Application

Transmitted herewith for your approval is legislation related to the 2014-15 New York State Consolidated Funding Application (CFA) process. The CFA is the single point of entry for accessing up to \$750 million in State funding from eleven State agencies: Agriculture and Markets; Canal Corporation; Council on the Arts; Department of Labor; Department of State; Empire State Development; Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Parks, Recreation, and Historic Preservation; and Power Authority. Applications are due on June 16, 2014, one day before Council’s June meeting. This legislation will:

1. Authorize the City’s applications for funding through the CFA process;
2. Authorize any necessary agreements with New York State for the receipt of funding; and,
3. Endorse applications by external organizations for CFA funding for projects supported by the City and consistent with City policy.

City Applications

In May 2014 an interdepartmental team of City managers met to review CFA recommendations from departments. Projects recommended for CFA submission were based on the current stage of project development, consistency with fund source guidelines, ability to complete the project in the timeframe(s) established by the State agency, and ability to obtain matching funds through the Capital Improvement Program (CIP).

The City of Rochester intends to submit the following three applications through the CFA for the projects listed below, which total approximately \$10,770,000. Project descriptions are provided in the attached summary. Additional applications for smaller scale projects will be submitted as authorized by Ordinance No. 2013-214, where the total request is less than \$1million and the City match is less than \$250,000.

<u>Project</u>	<u>Status</u>	<u>Total Cost</u>	<u>State Request</u>	<u>City Match</u>
Public Market Master Plan Implementation Phase II	2013 Priority Project	\$ 9,155,000	\$ 5,500,000	\$3,655,000
Blue Cross Arena at the War Memorial Renovation Phase I	2014 Proposed Project	6,386,000	5,000,000	1,386,000
Downtown Performing Arts Center- Site Evaluation and Development Study	2014 Proposed Project	300,000	270,000	30,000
Total		\$15,841,000	\$10,770,000	\$5,071,000

In 2013-14 the City submitted applications for eleven projects with a request for funds totaling over \$11 million. Funding was awarded for three projects: Erie Harbor Promenade received \$1,200,000, Public Market Master Plan Implementation received \$500,000 and a revision to the Comprehensive Plan received \$100,000, for a total of \$1,800,000 in State funding.

If State funding is awarded for 2014-15, it is anticipated that any local match amounts not already allocated will be identified in future CIP budgets.

City Endorsement of Independent Applications

The City endorses applications to New York State through the CFA process for the following projects, which are described in the attached summary.

<u>Agency</u>	<u>State Funding Program</u>	<u>Amount Requested</u>
<u>Project</u>		
Winn Development (Top Priority) Sibley Building Restoration and Development	ESD	\$6,000,000
Rochester Lyric Opera, Inc. 440 East Avenue Theatre Project (Rochester City Opera House)	ESD, EPF Historic Preservation	2,500,000
NEAD Freedom Market Expansion Project	ESD	200,000
Urban League of Rochester Economic Development Corp. M+M Rochester (Michelsen Building/Mills at High Falls III)	EPF Historic Preservation	500,000
Home Leasing, LLC/Landmark Society of Western New York Eastman Gardens (Eastman Dental Dispensary)	EPF Historic Preservation	500,000
North Winton Village North Winton Village Façade Program	NY Main Street Program	225,000
Monroe Avenue Merchants Association Monroe Avenue Improvements	NY Main Street Program	250,000
Sector 4 CDC West Main Street Improvements Technical Assistance	NY Main Street Program	20,000
GardenAerial Pedestrian Bridge Engineering and Feasibility Study	Local Waterfront Revitalization Program	350,000
Total		<u>\$10,545,000</u>

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-64

Resolution No. 2014-21
(Int. No. 190)

Resolution Supporting Consolidated Funding Grant Applications

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

Section 1. The Council hereby endorses the applications for funding not to exceed the following through the 2014-15 Consolidated Funding Application by external organizations for the following projects in the City set forth, and the Council finds that the applications and projects are consistent with City policies and goals:

<u>Agency</u>	<u>State Funding Program</u>	<u>Amount Requested</u>
<u>Project</u>		
Winn Development (Top Priority) Sibley Building Restoration and Development	ESD	\$6,000,000
Rochester Lyric Opera, Inc. 440 East Avenue Theatre Project (Rochester City Opera House)	ESD, EPF Historic Preservation	2,500,000

NEAD			
Freedom Market Expansion Project	ESD		200,000
Urban League of Rochester Economic Development Corp.			
M+M Rochester (Michelsen Building/Mills at High Falls III)	EPF Historic Preservation		500,000
Home Leasing, LLC/Landmark Society of Western New York			
Eastman Gardens (Eastman Dental Dispensary)	EPF Historic Preservation		500,000
North Winton Village			
North Winton Village Façade Program	NY Main Street Program		225,000
Monroe Avenue Merchants Association			
Monroe Avenue Improvements	NY Main Street Program		250,000
Sector 4 CDC			
West Main Street Improvements Technical Assistance	NY Main Street Program		20,000
GardenAerial			
Pedestrian Bridge Engineering and Feasibility Study	Local Waterfront Revitalization Program		350,000
Total			<u>\$10,545,000</u>

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Ordinance No. 2014-102
(Int. No. 191)

Authorizing Consolidated Funding Grant Applications And Agreements

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

Section 1. The Mayor is hereby authorized to submit applications to and enter into agreements with New York State for funding through the 2014-15 Consolidated Funding Application for the following projects:

<u>Project</u>	<u>Status</u>	<u>Total Cost</u>	<u>State Request</u>	<u>City Match</u>
Public Market Master Plan Implementation Phase II	2013 Priority Project	\$9,155,000	\$5,500,000	\$3,655,000
Blue Cross Arena at the War Memorial Renovation Phase I	2014 Proposed Project	\$6,386,000	\$5,000,000	\$1,386,000
Downtown Performing Arts Center- Site Evaluation and Development Study	2014 Proposed Project	\$300,000	\$270,000	\$30,000

Section 2. The applications and agreements shall contain such terms and conditions as the Mayor deems to be appropriate. Local funding shall be provided through funds already allocated for these purposes, private funding, or through the Capital Improvement Plan.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
May 20, 2014

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 130 - Cancellation Of Taxes And Charges

Int. No. 131 - Approving Apportionment Of Taxes And Charges

Int. No. 132 - Authorizing A Professional Services Agreement For Medical Services For Non-Uniformed Employees

Int. No. 133 - Establishing Maximum Compensation For A Professional Services Agreement For Fireworks Displays

Int. No. 182 - Resolution Approving Appointments To The Civil Service Commission

Int. No. 184 - Authorizing Parking Agreements With Asset One, LLC And Eastman Kodak Company

Int. No. 186 - Resolution Approving Standard Work Day For The Mayor For Retirement Purposes

Int. No. 187 - Establishing Maximum Compensation For An Agreement With The National League Of Cities

Int. No. 188 - Determining And Certifying Base Proportions, Current Percentages, And Base Percentages For The 2014 Assessment Roll

Int. No. 189 - Determining And Certifying Adjusted Base Proportions, Assessed Value, And Net Changes in Assessed Value For The 2014 Assessment Roll

The Finance Committee recommends for consideration the following entitled legislation:

Int. No. 136 - Local Improvement Ordinance - Establishing The Operating And Maintenance Costs Of Neighborhood Commercial Or Residential Parking Areas, As Amended

Int. No. 137 - Continuation Of Local Improvement Ordinance No. 1534 Relating To The Culver/Merchants Commercial Parking Lot

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-103
Re: Cancellation or Refund of
Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$1,356.

The City of Rochester acquired 693-695 Genesee Street through the "Abandonment Law" of 1973, Article 19A of the Real Property Actions and Proceedings Law (RPAPL). Upon entry of the judgment on April 24, 2013, the City owned the proper-

ty free and clear of all liens and encumbrances. The 2013 taxes and everything prior to 2013 were cancelled by operation of law. However, the deed wasn't recorded until July 31, 2013, making it necessary for City Council to cancel the balance due on the 2014 taxes.

If these cancellations are approved, total cancellations thus far for 2013-14 will be as follows:

	<u>Accounts</u>	<u>Amounts</u>
City Council	16	\$38,496.00
Administrative	88	26,706.85
Total	104	\$65,202.85

These cancellations represent 0.027% of the taxes receivable as of July 1, 2013.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-103
(Int. No. 130)

Cancellation Of Taxes And Charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

The City of Rochester acquired 693-695 Genesee Street through the "Abandonment Law" of 1973, Article 19A of the Real Property Actions and Proceedings Law (RPAPL). Upon entry of the judgment on April 24, 2013, the City owned the property free and clear of all liens and encumbrances. The 2013 taxes and everything prior to 2013 were cancelled by operation of law. However, the deed wasn't recorded until July 31, 2013, making it necessary for City Council to cancel the balance due on the 2014 taxes.

<u>S.B.L.#</u>	<u>Class</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>
120.82-4-26	H		
	693-695 Genesee Street	2014	\$1,356
Grand Total			\$1,356

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-104
Re: Apportionment of Taxes and Charges -

Subdivided or Combined Parcels

Transmitted herewith for your approval is legislation authorizing the apportionment of taxes and charges for 73 properties. This apportionment has been certified by the Assessor and is authorized by Section 6-78 of the City Charter.

The apportionment consists of City and School taxes and special district charges on properties subdivided or combined in 2013-2014. These taxes and charges, which total \$106,587.08, will be added to the new accounts established by the subdivisions or combinations of the former accounts.

If the proposed apportionment is approved, the taxes and charges will be added to the July 2014 tax bills of the new accounts. Owners of the subdivided or combined properties will be notified in writing of the potential charges in May 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-65

Ordinance No. 2014-104
(Int. No. 131)

Approving Apportionment Of Taxes And Charges

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

Section 1. The Council hereby approves the apportionment of taxes and charges upon various parcels of land as certified by the Assessor of the City of Rochester, pursuant to Section 6-78 of the Charter of the City of Rochester on April 21, 2014, in accordance with the list which is on file in the Office of the City Clerk.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-105
Re: Agreement - Rochester General Health System, Medical Services For Non-Uniformed Employees

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum annual compensation for an agreement with Rochester General Health System to provide medical services for non-uniformed City employees. The term of this agreement will be for three years, with an option for two one-year renewals. The cost of this agreement will be funded from the annual Budgets for Undistributed Expenses, beginning with 2014-15, and is based on a fee-for-service schedule. Service fees for work-related injuries are determined by the New York State Worker's Compensa-

tion Board. The agreement shall also provide for additional services, the fees for which have not been established.

Rochester General Health System was selected for this contract through a request for proposal process described in the attached summary.

Rochester General Health System will provide the following medical services for non-uniformed City employees:

- Evaluations of individuals nominated for City employment to ensure they are physically capable of performing the duties of the jobs for which they are being considered;
- Evaluations of current City employees to ensure they are physically capable of performing their job duties; and
- Medical examinations, occupational medical consultations, immunizations, and vaccinations, as needed.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-66

Ordinance No. 2014-105
(Int. No. 132)

Authorizing A Professional Services Agreement For Medical Services For Non-Uniformed Employees

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

Section 1. The Mayor is authorized to enter into an agreement with Rochester General Health System for medical services for non-uniformed City employees for a term of three years, with an option to renew for two additional one-year periods. The agreement shall provide for all regular medical services and for additional special services. The annual compensation for the services shall not exceed \$20,000 and shall be funded in the first year by funds in the 2014-15 budget and in future years from the annual budgets for Undistributed Expenses for this purpose, contingent upon adoption of those budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2014-106
Re: Agreement - Young Explosives

Corporation, Fireworks Displays

Transmitted herewith for your approval is legislation establishing \$50,500 as maximum compensation for an agreement with Young Explosives Corporation, Rochester, NY, to provide fireworks displays. The cost of this agreement will be funded from the 2013-14 Budget of the Department of Recreation and Youth Services (\$3,500) and the 2014-15 Budget of the Bureau of Communications (\$47,000), contingent upon adoption of the 2014-15 budget.

The firm will provide a small aerial fireworks display over the Genesee River near the Driving Park bridge during the Maplewood Rose Festival on June 14, 2014; large aerial fireworks displays on July 4, 2014 and December 31, 2014; and a ground fireworks display on December 6, 2014. The July 4 display will last for about 20 minutes. The December 31 display will be part of the New Year's Eve Celebration in downtown Rochester and will last for about 18 minutes. Both displays will be launched over the Genesee River. The December 6 ground fireworks display will highlight the season opening of the Martin Luther King, Jr. Park Ice Rink.

Young will be responsible for obtaining the necessary permits from the Fire Department and for acquiring \$1 million of liability insurance. Young Explosives does not employ any persons below the age of 18. Further, in order to be licensed in the United States, all fireworks manufacturers and dealers must meet state and federal regulations stating that no persons under the age of 18 are employed. Young Explosives has assured us that their domestic purchases come solely from licensed vendors.

The most recent agreement for these services was authorized by Ordinance No. 2013-113 in May 2013.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-67

Ordinance No. 2014-106
(Int. No. 133)

Establishing Maximum Compensation For A Professional Services Agreement For Fireworks Displays

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

Section 1. The sum of \$50,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Young Explosives for fireworks displays. Of said amount, \$3,500 shall be funded from the 2013-14 Budget of the Department of Recreation and Youth Services, and \$47,000 from the 2014-15 Budget of the Bureau of Communications, contingent upon adoption

of said budget.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-22
Re: Reappointment and Appointment -
Civil Service Commission

Transmitted herewith for your approval is legislation confirming the reappointment of Alan D. Caine, 29 Atkinson Street, Rochester, New York 14608, and the appointment of Leslie B. Smith, 1860 Culver Road, Rochester, New York 14609, to the Civil Service Commission.

Mr. Caine has served four consecutive six year terms on the Commission; he was originally appointed in July 1990. Of the 71 regular meetings held during his current six year term, Mr. Caine attended 63 or 89%. Mr. Caine is a Republican whose current term expires on May 31, 2014. His new term will extend to May 31, 2020.

Ms. Smith will replace Elizabeth Ortiz who recently resigned from the Commission. Ms. Smith is a Democrat and will serve the remainder of Ms. Ortiz's term, which extends to May 31, 2016.

Resumes for Mr. Caine and Ms. Smith are available for review in the City Clerk's Office.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-68

Resolution No. 2014-22
(Int. No. 182)

Resolution Approving Appointments To The Civil Service Commission

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

Section 1. The Council hereby approves the reappointment of Alan D. Caine to the Civil Service Commission for a term which shall expire May 31, 2020.

Section 2. The Council hereby approves the appointment of Leslie B. Smith to the Civil Service Commission for a term which shall expire May 31, 2016.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-107
Re: Parking Agreements - Eastman Kodak Company and Asset One, LLC

Transmitted herewith for your approval is legislation related to the surface parking lot located at 343 State Street and the High Falls Parking Garage. This legislation will:

1. Authorize an agreement with Eastman Kodak Company for the City's use of 50 parking spaces at 343 State Street for \$2,250 per month (\$45 per space). The spaces will be made available for public monthly rental at a rate of \$20 less than the monthly rate charged at the High Falls Parking Garage (currently \$69). These additional surface parking spaces will free spaces in the High Falls Parking Garage, enabling properties in High Falls to provide guaranteed parking with leases. The agreement with Eastman Kodak will be for a term of three years, expiring on May 31, 2017.
2. Authorize a concurrent term agreement with Asset One, LLC for the rental of 35 spaces in the High Falls Parking Garage at the market rate (currently \$69 per space per month). This agreement will pay for the above expense obligation to Kodak in the event that the City is unable to attract customers to the surface lot. The term of the agreement with Asset One, LLC will be for three years, expiring on May 31, 2017.

This arrangement is designed to provide a net increase in available parking spaces in the High Falls business district. The agreement with Kodak will include a provision allowing the City to increase or decrease the total number of spaces being rented from Kodak in blocks of ten, three times a year.

Expenses for renting the 50 spaces will be funded from the Department of Finance, Bureau of Parking 2013-14 and subsequent budgets, contingent upon their approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-107
(Int. No. 184)

Authorizing Parking Agreements With Asset One, LLC and Eastman Kodak Company

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

Section 1. The Mayor is hereby authorized to

enter into a parking agreement with Asset One, LLC for parking in the High Falls Parking garage for up to 35 parking spaces at a payment rate which shall be the standard monthly rate established by Section 111-119 of the Municipal Code, currently \$69 per space per month. The agreement shall extend for a term of 3 years, expiring on May 31, 2017.

Section 2. The Mayor is hereby authorized to enter into an agreement with Eastman Kodak Company for the City's use of 50 parking spaces in the parking lot owned by Kodak at 343 State Street at a cost of \$2,250 per month (\$45 per space). The agreement shall include a provision giving the City an option to increase or decrease the number of spaces leased pursuant to this agreement in blocks of ten spaces no more than three times per year. This agreement shall have a term of 3 years, expiring on May 31, 2017. The cost of this agreement will be funded from the 2013-14 Budget of the Department of Finance, Bureau of Parking and from future budgets of the Department of Finance, contingent upon approval of those budgets.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-23
Re: Mayor Standard Work Day and Reporting Resolution

Transmitted herewith for your approval is a resolution complying with reporting requirements for the New York State and Local Employees Retirement System (NYSLERS) for the standard work day for elected officials as required by regulations of the State Comptroller.

This resolution authorizes the reporting of the standard work day for the Mayor as a minimum of eight hours per day or 40 hours per week, similar to the resolution adopted for the prior Mayor by Resolution No. 2011-23. The resolution also directs the City Clerk to file the Mayor's 90-day record of work activities, upon which the standard work day is based, and to file appropriate documents with NYSLERS as required by the State regulations.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2014-23
(Int. No. 186)

Resolution Approving Standard Work Day For The Mayor For Retirement Purposes

WHEREAS, Mayor Lovely A. Warren has sub-

mitted a log of work-related activities pursuant to 2 NYCRR 315.4 and desires to establish her standard work day and number of days to be reported to the Retirement System based on the submitted log, and

WHEREAS, the Council has previously established the standard work day for the Mayor as eight hours for a standard forty hour work week by Resolution 2011-23.

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

Section 1. The Council hereby establishes an eight hour standard work day and a forty hour standard work week (the equivalent of five standard work days) for Mayor Lovely A. Warren.

Section 2. The Council hereby certifies that it has received a log of work-related activities pursuant to 2 NYCRR 315.4 from Mayor Warren that forms the basis for the number of days to be reported.

Section 3. Based on the log, the monthly reporting for retirement purposes for Mayor Warren shall be the total number of work days occurring each month based on Mayor Warren working the equivalent of full five day standard work weeks throughout the month.

Section 4. The current term of office of Mayor Warren began on January 1, 2014 and expires on December 31, 2017.

Section 5. The City Council, by enclosure, does hereby document the City of Rochester's preparation of Forms RS 2417-A and RS 2417-B with supporting schedules coded as EL-Elected Officials and AP-Appointed Officials, for submission to the NYSLRS as required by 2 NYCRR 315.

Section 6. The City Council does hereby direct the City Clerk to publish on the City of Rochester's website for a period of at least thirty (30) consecutive calendar days, a copy of this Resolution together with the enclosures cited herein, without full social security numbers.

Section 7. The City Council hereby directs the City Clerk to complete the attestations, as required by 2NYCRR 315, on the Affidavit of Posting included by enclosure, and on forms RS 2417-A and RS-2417-B, and to file copies thereof with the Comptrollers of the State of New York and the City of Rochester, and to acknowledge completion of such action by separate notice to this City Council for its record keeping purposes.

Section 8. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-108
Re: Agreement - National League of Cities,

National Black Caucus of Local Elected
Officials Annual Summer Conference

Transmitted herewith for your approval is legislation establishing \$38,000 as maximum compensation for an agreement with the National League of Cities for the National Black Caucus of Local Elected Officials (NBC-LEO) Annual Summer Conference, which will be held in Rochester on July 30-August 2, 2014. The cost of this agreement shall be funded from the 2013-14 Budget for Undistributed Expenses.

This conference is held annually in the city of the current President of NBC-LEO. Councilmember Adam McFadden is the President of this group for 2014. This funding will support the various activities and meetings that the conference will hold in hotels Downtown and throughout our community.

The City of Rochester is a member of the National League of Cities through the City Council and this subgroup is among the largest of this national organization.

Respectfully submitted,
Lovely A. Warren Mayor Adam C. McFadden
Chair, Public Safety, Youth & Recreation
South District Representative

Ordinance No. 2014-108
(Int. No. 187)

**Establishing Maximum Compensation For
An Agreement With The National League Of
Cities**

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

Section 1. The sum of \$38,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and the National League of Cities for services in connection with a national conference of local elected officials known as NBC-LEO to be held in Rochester during 2014. The cost of this agreement shall be funded from the 2013-14 Budget for Undistributed Expenses.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-109 and
Ordinance No. 2014-110
Re: Tax Apportionment Assessment Classes -
Tax Shift

Transmitted herewith for your approval is legisla-

tion certifying certain calculations relating to the apportionment of property taxes between the homestead and non-homestead assessment classifications. Such certification is required by Article 19 of the New York State Real Property Tax Law.

The certification involves determination of the "base proportion." In general, the base proportion for each class represents the share of the property tax levy to be allocated to that class. This determination process involves two computations. The first is the calculation of the current base proportions using 1989 and 2013 data. The second is the calculation of the adjusted base proportions using 2013 and 2014 data. Both calculations are attached.

The current base proportions, as calculated by the formula specified by Article 19, are as follows:

Homestead:	.4298524
Non-Homestead:	.5701476
Total:	1.0000000

In comparison, the new adjusted base proportions are as follows:

Homestead:	.4257103
Non-Homestead:	.5742897
Total:	1.0000000

The new proportions result in the following shifts in the share of the tax levy allocated in each class:

Homestead:	-0.7
Non-Homestead:	+0.5

These calculations have been reviewed by the New York State Office of Real Property Services.

The actual tax burden is also determined by the tax levy and final assessment changes. These figures will be detailed in the proposed budget to be released on May 16, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-69

Ordinance No. 2014-109
(Int. No. 188)

Determining and Certifying Base Proportions, Current Percentages, and Base Percentages For The 2014 Assessment Roll

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the current base proportions, current percentages, and base percentages for the City's 2014 assessment roll as follows:

	<u>Homestead Class</u>	<u>Non-Homestead Class</u>
Current base proportions	42.98524%	57.01476%
Current percentage	61.39460%	38.60540%
Base percentage	52.03550%	47.96450%

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the State Board of Equalization and Assessment.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-110
(Int. No. 189)

Determining And Certifying Adjusted Base Proportions, Assessed Value, And Net Changes In Assessed Value For The 2014 Assessment Roll

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

Section 1. Under Section 1903 of the Real Property Tax Law, the Council determines the adjusted base proportions, assessed value, and net change in assessed value for the City's 2014 assessment roll as follows:

	<u>Homestead Class</u>	<u>Non-Homestead Class</u>
Adjusted base proportion	.4257103	.5742897
Taxable assessed value	3,618,980,359	2,303,094,008
Net change in assessed value from 2013 resulting from physical and quantity changes	+8,634,400	+46,120,400
Net change in assessed value from 2013 resulting from other than physical and quantity changes	-5,093,200	-9,199,440

Section 2. The City Clerk is hereby directed to certify the figures set forth above to the State Board of Real Property Services.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1687 and
Local Improvement Ordinance No. 1688
Re: Special Assessment District
Parking Lots

Transmitted herewith for your approval is legisla-

tion authorizing special district assessment for the neighborhood commercial and residential parking lots and appropriating a total of \$52,155 for operation and maintenance of the parking areas during 2014-15.

The Special Assessment District parking lots, which were established by City Council in 1979, include: Culver/Merchants, Monroe Avenue/Oxford Square Lot, North Street, Lyell Avenue and Woodside/Goodwill. A sixth lot was created in 2011-12 for Mt. Hope in the Collegetown district. Annual operating and maintenance costs of the areas are assessed against all properties within the district according to their respective parking space requirements.

The assessments reflect the cost of snow plowing, cleaning, landscaping, maintenance, lighting and parking regulation enforcement. These services are provided either by City personnel, private companies under contract with the City, or the property owners themselves.

The Culver/Merchants Special Assessment District is expiring on July 31, 2014. This legislation will renew the district for an additional 10 years.

Assessments and appropriations for 2014-15 are:

<u>Parking lots</u>	<u>Prior Years</u>	
<u>Assessment</u>	<u>Amounts</u>	<u>Appropriation</u>
North Street Commercial Lot	\$ 9,500	\$ 9,500
Monroe Avenue/Oxford Square Off-Street Lot	14,000	16,200
Culver/Merchants Commercial Lot	0	6,900
Woodside/Goodwill Street Off-Street Lot	8,810	8,810
Lyell Avenue Commercial Lot	9,745	9,745
Mt. Hope Commercial Lot	1,000	1,000
Total	\$43,055	\$52,155

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-70

Local Improvement Ordinance No. 1687
(Int. No. 136, As Amended)

Local Improvement Ordinance - Establishing The Operating And Maintenance Costs Of Neighborhood Commercial Or Residential Parking Areas

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

Section 1. The following amounts are hereby established and the new assessments shall be allo-

cated and levied against the benefited properties in accordance with the local improvement ordinances, and said new assessments are hereby appropriated from the ~~Care and Embellishment-LIO~~ Parking Lots Fund for the operation and maintenance of parking areas and neighborhood commercial or residential parking lots during 2014-15:

<u>Parking lots</u>	<u>Prior Years</u>	<u>Appropriation</u>
<u>Assessment</u>	<u>Amounts</u>	
North Street Commercial Lot	\$ 9,500	\$ 9,500
Monroe Avenue/Oxford Square Off-Street Lot	14,000	16,200
Culver/Merchants Commercial Lot	0	6,900
Woodside/Goodwill Street Off-Street Lot	8,810	8,810
Lyell Avenue Commercial Lot	9,745	9,745
Mt. Hope Commercial Lot	1,000	1,000
Total	\$43,055	\$52,155
		<u>\$9,100</u>

Section 2. This ordinance shall take effect on July 1, 2014.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Local Improvement Ordinance No. 1688
(Int. No. 137)

Continuation Of Local Improvement Ordinance No. 1534 Relating To The Culver/Merchants Commercial Parking Lot

WHEREAS, by Local Improvement Ordinance No. 1534, the City provided for the levying of local improvement assessments to fund the cost of special work and services related to the Culver/Merchants Commercial Parking Lot; and

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

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

Section 1. Local Improvement Ordinance No. 1534, relating to the levying of local improvement assessments to fund the cost of special work and services related to the Culver/Merchants Commercial Parking Lot, is hereby re-enacted for an additional period of ten years, commencing on July 1, 2014.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Conklin moved to discharge Int. Nos. 120 and 121 from Committee.

The motion was seconded by Councilmember Spaul.

Adopted unanimously.

Introductory Nos. 120 and 121 were introduced April 23, 2014 and appear in their original forms with their transmittal letter on page 84 of the current Council Proceedings.

Attachment No. AN-71

Local Improvement Ordinance No. 1689
(Int. No. 120)

Local Improvement Ordinance - Establishing The Cost Of The Special Work And Services Related To Downtown Special Services And Authorizing An Agreement

Passed unanimously.

Local Improvement Ordinance No. 1690
(Int. No. 121)

Continuation Of Local Improvement Ordinance No. 1352 Relating To The Downtown Special Services Program

Passed unanimously.

By Councilmember Palumbo
May 20, 2014

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 138 - Authorizing The Sale Of Real Estate And Amendment To Ordinance No. 2013-64 And Ordinance 2013-414, As Amended

Int. No. 139 - Authorizing Lease Agreement For Fiber Optic Cable

Int. No. 140 - Authorizing An Agreement For The Lead Hazard Control Program

Int. No. 141 - Authorizing Agreements For The Housing Opportunities For Persons With AIDS Program

Int. No. 142 - Establishing Maximum Compensation For A Professional Services Agreement For The JOSANA Rail To Trail Feasibility Study

Int. No. 143 - Establishing Maximum Compensation For A Study Of Impediments To Fair Housing

Int. No. 144 - Authorizing A Loan Agreement And A Grant Agreement For The 34 Stutson Street Renovation Project

Int. No. 145 - Resolution Approving Appointment To The Zoning Board Of Appeals

Int. No. 146 - Appropriating Funds For Quadrant Planning

Int. No. 147 - Appropriating Funds And Authorizing Agreements For The HOME Rochester Program

Int. No. 148 - Authorizing An Agreement And Appropriating Funds For The Aging In Place Home Modification Program

Int. No. 149 - Authorizing An Agreement And Appropriating Funds For The Landlord/Tenant Services Program

Int. No. 150 - Authorizing An Agreement And Appropriating Funds For The Foreclosure Prevention Program

Int. No. 152 - Authorizing Submission Of The Consolidated Community Development Plan/2014-15 Annual Action Plan And Execution Of Grant Agreements With The United States Department Of Housing And Urban Development

Int. No. 153 - Appropriation Of Funds For The City Development Fund

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 151 - Approving The Consolidated Community Development Plan/2014-15 Annual Action Plan

Int. No. 154 - Authorizing Amendatory Community Development Program Plans

Int. No. 155 - Amending Chapter 120 Of The Municipal Code, Zoning Code, With Respect To Temporary Uses In Relation To Food Truck Vending

Respectfully submitted,
Carla M. Palumbo (*Abstained on Int. No. 149*)
Carolee A. Conklin (*Voted against Int. No. 155*)
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-111
Re: Sale of Real Estate and Amendment to Ordinance No. 2013-64

Transmitted herewith for your approval is legislation approving the sale of eight properties and amending Ordinance No. 2013-64. City records have been checked to ensure that purchasers (ex-

cept those buying unbuildable vacant lots) do not own other properties with code violations or delinquent taxes, and have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

Sale of Real Estate

The first three properties were sold to the respective highest bidder at three on-site real estate auctions. All purchasers will be required to rehabilitate the structures within twelve months of City Council approval.

The next parcel is a vacant lot sold by negotiated sale to the adjacent owner who will combine the lot with their existing property.

The last four parcels are unbuildable vacant lots, all being sold for \$1.00 (as per City policy) to their adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these eight properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$4,259.

Amending Ordinance No. 2013-64

Ordinance No. 2013-64 authorized the sale of 1220-1222 St. Paul Street to Asefache Gebrufual, who is now deceased. The property will be transferred to Ms. Gebrufual's daughter, Saba Gebreamlak, who has been actively involved in the rehabilitation of the structure.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-72

Ordinance No. 2014-111
(Int. No. 138, As Amended)

Authorizing The Sale Of Real Estate And Amendment To Ordinance No. 2013-64 And Ordinance 2013-414

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

Section 1. The Council hereby approves the sale of the following parcels of improved property by regular auction:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Use</u>	<u>Price</u>	<u>Purchaser</u>
51-53 Copeland St	107.45-1-38	40x103	2 Family	\$ 4,100	Johnny Granville III
52 Heidelberg St	107.45-5-6	40x80	1 Family	\$ 5,400	William Henry Walker
521-523 Norton St	091.63-2-29	53x120	2 Family	\$25,100	Ray Barber, Jr.

Section 2. The Council hereby approves the negotiated sale of the following parcel of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
138 Clifton St	120.51-1-21	40x115	4,480	\$425	Richard E. Kennedy

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
123 Conkey Av	106.29-1-72	35x89	3,112	Residential Properties Resources Fund I, Inc.*
West Pt. of 348 Troup St	West Pt. of 120.43-2-22	23x108	2,377	Rochester Housing Authority**
166 York St	120.34-2-91	33x151	5,166	Monica Yakymovitch
174 York St	120.34-2-93	29x151	4,396	Monica Yakymovitch

* Principals: Albert K. Barton, Jr., CEO; Leon Scales, VP Asset Management

** Board of Commissioners: Carol Schwartz, Chair; Maudine Brown-Long, Commissioner; George Moses, Commissioner; Willie Otis, Commissioner; John Page, Commissioner; Tom Quock, Commissioner; Sara

Valencia, Commissioner

Section 4. The Council hereby amends Ordinance No. 2013-64 which approves the sale of the following parcel by regular auction-improved property, to change the name of the purchaser from Asefache Gebreamlak to Saba Gebreamlak:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Use</u>	<u>Purchaser</u>
1220-1222 St. Paul St	105.28-2-11.1	80x120	2 Family	Asefache Gebreamlak Saba Gebreamlak

Section 5. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 6. Section 2 of Ordinance No. 2013-414, which is entitled "Approving loan agreements for the Michelsen Mills Affordable Housing Project", is hereby amended by changing the funding year for the \$1,175,972 in Cash Capital from prior years' allocation to \$1,175,972 from 2012-13 Cash Capital.

Section 6 ~~7~~. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-112
Re: Lease Agreement - Fiber Technologies
Networks, LLC, Midtown Truck Tunnel

Transmitted herewith for your approval is legislation authorizing a lease agreement with Fiber Technologies Networks, LLC for the lease of approximately 91 linear feet of the Midtown truck tunnel for the purpose of installation, operation/maintenance, and repair/replacement of fiber optic cable. The term of the lease will be for five years, with the option for one five-year renewal.

The lease will create \$1,000 per year in revenue for the City. In the renewal term, the rate and terms/conditions will remain the same. There are no utilities provided by the City to the tenant. If any utility service is required, the tenant assumes full responsibility for all associated costs.

The rental amount was established through an independent appraisal prepared by Bruckner, Tillet, Rossi, Cahill & Associates on February 5, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-112
(Int. No. 139)

Authorizing Lease Agreement For Fiber Optic Cable

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

Section 1. The Mayor is hereby authorized to enter into a lease agreement with Fiber Technologies Networks, LLC for the use of approximately 91 linear feet of space in the Midtown Truck Tunnel for a term of five years at annual rent of \$1,000, with an option for a five year renewal.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-113
Re: Authorizing an Agreement for Lead
Hazard Evaluations and Amending
Ordinance No. 2013-233

Transmitted herewith for your approval is legisla-
tion related to the Lead Hazard Control Program.
This legislation will:

1. Establish \$15,000 as maximum compensation for an agreement with Environmental, Testing & Consulting for lead hazard evaluation services; and
2. Amend Ordinance No. 2013-233 to fund said agreement from Section 1, which appropriated \$200,000 from the Improving the Housing Stock and General Property Conditions Objective, Housing Development Fund allocation (Lead Hazard Reduction Account) of the 2013-14 Community Development Block Grant.

The City's Lead Hazard Control Program was fully enrolled in August 2013. Since this time, several properties withdrew from the program which created the opportunity to enroll additional properties. In order to serve these properties, lead hazard evaluation services are required.

Ordinance No. 2012-288 authorized agreements for four consultants to provide lead hazard evaluations for the program. All agreements with these consultants are now expired. Because a limited number of properties are to be enrolled in the program, only one consultant is needed. Environmental, Testing & Consulting was chosen due to the high quality of their product.

There are currently thirteen properties enrolled in the program to receive lead hazard evaluation services at a cost of \$8,295. The remaining \$6,705 is reserved for lead evaluation services for new properties, in the event that space becomes available in the program due to additional withdrawals.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-113
(Int. No. 140)

Authorizing An Agreement For The Lead Hazard Control Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Environmental Testing and Consulting, Inc. to provide lead hazard evaluation services to implement the Lead Hazard Control Program. The maximum compensation for such agreement shall be \$15,000, which shall be funded from the appropriation for this program made in Section 1 of Ordinance No. 2013-233.

Section 2. The agreement shall contain such

additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-114
Re: 2014-15 Consolidated Community
Development Plan - Housing Opportunities
For Persons with AIDS

Transmitted herewith for your approval is legisla-
tion related to the 2014-15 Housing Opportunities
for Persons with AIDS (HOPWA) program as
described in the 2014-15 Consolidated Community
Development Plan (Plan). This legislation will:

1. Appropriate a total of the estimated \$667,231 from the 2014-15 Housing Choice Fund, HOPWA account, of the Plan for program implementation.
2. Establish maximum compensation for agreements with the agencies listed below for program implementation. The cost of these agreements will be financed from the funds appropriated herein.

<u>Agency</u>	<u>Amount</u>
AC Center, Inc. d/b/a Trillium Health	\$413,683
Catholic Charities of the Diocese of Rochester d/b/a Catholic Charities Community Services	<u>253,548</u>
	<u>\$667,231</u>

3. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth below which may have changed prior to the date of this ordinance.

HOPWA provides housing assistance and services to prevent homelessness for individuals with HIV/AIDS and related complications, and their families. Assistance includes both long-term (over 21 weeks) and short-term services and financial assistance in the form of payments of rent, mortgage and utilities. Both providers maximize HOPWA assistance through the coordination of other funding sources and service providers. The HOPWA grant from HUD is awarded to the City to serve Livingston, Monroe, Ontario, Orleans, and Wayne Counties. AC Center, Inc., d/b/a Trillium Health, provides service to the five-county area; Catholic Charities Community Services serves the City and Monroe County.

The two organizations are uniquely qualified for this special needs population. Both receive additional State and Federal HIV/AIDS-targeted funds, which provide for additional case management, housing placement, and other critical services. The organizations have a long-standing and close working relationship with one another, and both are

active within the Rochester Area Task Force on AIDS.

Services provided and projected, by number of households, are summarized below.

<u>Agency</u>	<u>2013-14 Goal</u>	<u>2013-14 Actual</u>	<u>2014-15 Goal</u>
AC Center, Inc. d/b/a Trillium Health: Rental assistance, support services	125	127	126
Catholic Charities: Rental assistance, support services	<u>75</u>	<u>77</u>	<u>73</u>
Total	200	204	199

The City has been informed of its allocation amounts for 2014-15. However, if funds are different, not available, or prove to be less than originally advised, the agreement amounts and terms will be adjusted. The agreement terms will be for one year, with the option to extend for an additional year if funds remain in the original appropriation.

The City will enter into agreements for this program only with organizations that are in compliance with Federal regulations.

HOPWA related legislation was last authorized on June 18, 2013 (Ord. No. 2013-183). This legislation supports *Section 4: Promote Housing Choice* of the City Housing Policy.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-73

Ordinance No. 2014-114
(Int. No. 141)

Authorizing Agreements For The Housing Opportunities For Persons With AIDS Program

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for services under the Housing Opportunities for Persons with AIDS Grant Program:

<u>Organization</u>	<u>Amount</u>
AC Center, Inc. d/b/a Trillium Health	\$413,683
Catholic Charities of Diocese of Rochester d/b/a Catholic Charities Community Services	\$253,548

Section 2. The agreements shall obligate the City to pay an amount not to exceed \$667,231, and said amount, or so much thereof as may be necessary, is hereby appropriated from 2014-15 Housing Opportunities for Persons With AIDS Grant Funds of the Consolidated Community Development Plan.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Haag abstained because of a familial relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-115
Re: Agreement - Bergmann Associates,
JOSANA Rail-to-Trail Feasibility Study

Transmitted herewith for your approval is legislation related to the JOSANA rail-to-trail feasibility study. This legislation will:

1. Establish up to \$60,000 as maximum compensation for an agreement with Bergmann Associates, P.C., Rochester, NY, for planning and preliminary design services for the project;
2. Authorize an agreement with the Genesee Transportation Council (GTC) for the receipt of a \$50,000 grant from its Unified Planning Work Program (UPWP); and
3. Appropriate the same \$50,000 to partially fund the agreement with Bergmann.

The balance of the cost of the Bergmann agreement will be funded from the 2013-14 Cash Capital allocation of the Department of Environmental Services (\$10,000). The City of Rochester was awarded the \$50,000 through a competitive grant application to GTC's UPWP. The City has successfully completed other UPWP-funded studies in the past.

The JOSANA Trail is a proposed rail-to-trail conversion through the northern section of the JOSANA neighborhood in the northwest quadrant of the city. It represents the potential of a significant east/west connection between the City's Genesee Riverway and Trail at High Falls, and the Browns' Square and JOSANA neighborhoods. It will fill gaps in connectivity and provide linkages to points of interest within JOSANA and other trails, neighborhoods, business centers and attractions.

This phase of the project includes the planning and preliminary design of trail layouts and improvement plans, with an exploration of alternatives,

property acquisitions/easements, and corresponding estimates for two interrelated but distinct trail segments. The consultant will evaluate the integrity of four disused railroad bridges and provide feasibility cost estimates for any required improvements to make the bridges suitable as pedestrian bridges and to comply with current trail design and accessibility standards.

Bergmann Associates was selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-74

Ordinance No. 2014-115
(Int. No. 142)

Establishing Maximum Compensation For A Professional Services Agreement For The JOSANA Rail To Trail Feasibility Study

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

Section 1. The sum of \$60,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates for planning and preliminary design services for the JOSANA rail to trail feasibility study. Of said amount, \$50,000 is hereby appropriated from anticipated grant funds from the Genesee Transportation Council and \$10,000 shall be funded from the 2013-14 Cash Capital allocation of the Department of Environmental Services.

Section 2. The Mayor is hereby authorized to enter into an agreement with the Genesee Transportation Council for the receipt of a \$50,000 grant from the Unified Planning Work Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-116
Re: Agreement - Western Economic Services, LLC, Analysis of Impediments to Fair Housing Choice

Transmitted herewith for your approval is legislation related to an analysis of impediments to fair housing choice. This legislation will:

1. Appropriate \$30,000 from the Community Plan and Leadership Development allocation

of the Neighborhood and Asset-Based Planning Fund of the 2012-13 Community Development Block Grant (CDBG);

2. Appropriate \$40,000 from the Community Plan and Leadership Development allocation of the Neighborhood and Asset-Based Planning Fund of the 2013-14 CDBG; and

3. Authorize \$70,000 as maximum compensation for an agreement with Western Economic Services, LLC for an analysis of impediments to fair housing choice, funded through the appropriations herein.

The Analysis of Impediments to Fair Housing Choice Report will provide a comprehensive analysis of existing conditions to identify current constraints and challenges to fair housing choice, and to present recommendations and an action plan to ameliorate impediments to fair housing choice.

The report will be submitted to the U.S. Department of Housing and Urban Development as required for participation in the Consolidated Community Development Plan. The report will be used to guide efforts to de-concentrate poverty in the City of Rochester and to help develop the 2015-2020 Consolidated Community Development Plan.

The consultant, Western Economic Services, LLC, was selected through a request for proposal process, which is described in the attached summary. The term of this agreement will be for one year.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-75

Ordinance No. 2014-116
(Int. No. 143)

Establishing Maximum Compensation For A Study Of Impediments To Fair Housing

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

Section 1. The sum of \$70,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Western Economic Services, LLC for a study of impediments to fair housing. The amount of \$30,000 is hereby appropriated from the Community Plan and Leadership Development Allocation of the Neighborhood and Asset-Based Planning Fund of the 2012-13 Community Development Block Grant and \$40,000 from the Community Plan and Leadership Development allocation of the Neighborhood and Asset-Based Planning Fund of the 2013-14 Community Development Block Grant to fund this agreement. The term of the agreement shall be one year.

Section 2. This ordinance shall take effect im-

mediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-117
Re: 34 Stutson Street Renovation Project

Transmitted herewith for your approval is legislation related to the mixed-use redevelopment of the existing two-story structure at 34 Stutson Street. This legislation will:

1. Authorize a loan agreement in the amount of \$150,000 with an LLC formed, or to be formed, by Craig Ristuccia (the "Developer"). The loan will be financed from the Capital Project Housing Revolving Loan Fund. The loan will be personally guaranteed by the Developer; and
2. Authorize a grant agreement in the amount of \$50,000 with an LLC formed, or to be formed, by the Developer. The grant will be funded from 2013-14 NBD Cash Capital.

The loan term will coincide with the construction period which is estimated to be six months or less. The loan payment will be interest only (at 1% during the construction period, with full payment due at the end of construction. The loan requires the Developer's commitment to the following workforce hiring goals for the project: 20% for minority persons and 6.9% for women.

The grant requires that two of the apartments be affordable only to households with incomes under 80% of the median family income for a period of 10 years.

The Developer is renovating the existing 10,000 square foot building into six one-bedroom apartments and office space on the second floor with a banquet facility on the first floor.

The Developer currently owns three properties on Stutson Street: numbers 24, 34 and 56. The Developer purchased all the properties with the intention of upgrading and updating them for mixed-use, thereby creating a more stable and enhanced presence in the neighborhood. The Developer redeveloped, owns and operates the Hose 22 Firehouse Grill restaurant located at 56 Stutson Street in the former firehouse built in 1916. The successful business is a feature destination in the Charlotte neighborhood.

The sources and uses of funds for the proposed renovation project are as follows:

<u>Source</u>	<u>Amount</u>
Equity (towards acquisition and construction)	\$402,500
City loan	150,000
City grant	<u>50,000</u>
Total	\$602,500

<u>Uses</u>	<u>Amount</u>
Acquisition	\$138,000
Construction	400,500
Soft costs	<u>64,000</u>
Total	\$602,500

It is anticipated that the project will create approximately 10 full-time and 20 part-time jobs.

Pursuant to the requirements of Article 8 of the NYS Environmental Conservation Law and Chapter 48 of the City Code, the proposed project is an Unlisted Action. A Negative Declaration was issued on November 4, 2011. Review under the State Environmental Quality Review Act is complete.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-117
(Int. No. 144)

Authorizing A Loan Agreement And A Grant Agreement For The 34 Stutson Street Renovation Project

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

Section 1. The Mayor is hereby authorized to enter into a loan agreement in the amount of \$150,000 with a limited liability corporation to be formed by Craig Ristuccia for this project. The loan will be for a term of no more than six months at one percent interest and will be personally guaranteed by Craig Ristuccia. This loan shall be funded from the Capital Project Housing Revolving Loan Fund.

Section 2. The Mayor is hereby authorized to enter into a grant agreement in the amount of \$50,000 with a limited liability corporation to be formed by Craig Ristuccia for this project. This grant shall be funded from the 2013-14 Cash Capital allocation of the Department of Neighborhood and Business Development.

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

Section 4. This ordinance shall take effect immediately.

Pass unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-24
Re: Appointment - Zoning Board of Appeals

Transmitted herewith for your approval is legislation confirming the appointment of David Carr, 473 Hudson Avenue, Rochester, New York 14605 to the Zoning Board of Appeals.

Mr. Carr resides in the Northeast, and is currently employed in construction management. He will fill the vacancy created by the retirement of Pat Tobin in February of this year. Mr. Tobin's term expires in June 2014. Therefore, Mr. Carr will serve out the remainder of Mr. Tobin's term, and then serve a full two-year term which will expire on June 30, 2016. Mr. Carr's appointment will be effective immediately.

His resume is available for review in the City Clerk's Office.

A summary description of the Board is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-76

Ordinance No. 2014-24
(Int. No. 145)

Resolution Approving Appointment To The Zoning Board Of Appeals

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

Section 1. The Council hereby approves the appointment of David Carr to the Zoning Board of Appeals for the remainder of an unexpired term which shall expire on June 30, 2014 and an additional term which shall expire June 30, 2016.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-118
Re: Appropriation - Community Development Block Grant, Quadrant Planning Support Program

Transmitted herewith for your approval is legislation related to the Quadrant Planning Support Program. This legislation will:

1. Appropriate \$50,000 from the Quadrant Planning Support allocation of the Neighborhood and Asset Planning Fund of the 2013-14 Community Development Block Grant; and
2. Authorize any agreements necessary to implement the Program projects.

The appropriation will provide \$10,000 to each of the four quadrants and Center City/Downtown. Quadrant Planning Support projects that will be funded are included in the respective quadrant plans, and are reviewed, prioritized and chosen by the Quadrant Teams. The table below provides a brief description of projects by quadrant, and more detail is provided in the attachment.

Quadrant Project

Southwest
Jefferson Avenue neighborhood beautification

Southeast
R-City Initiative - creating neighborhood collaboration around the Public Market and promoting arts and culture as a revitalization strategy

Center City/Downtown
St. Paul Quarter neighborhood beautification

Northwest
Public safety, beautification and design - striped crosswalks around Maplewood schools, visitors guide to Charlotte, design for Charlotte entrance archway

Northeast
Neighborhood beautification - mini-grants to neighborhood groups

The City will enter into agreements only with organizations that are in compliance with Federal regulations.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-77

Ordinance No. 2014-118
(Int. No. 146)

Appropriating Funds For Quadrant Planning

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

Section 1. There is hereby appropriated from the Neighborhood and Asset Based Planning allocation (Quadrant Planning and Project Program Account) of the 2013-14 Community Development Block Grant the sum of \$50,000, or so much thereof as may be necessary, to fund the Quadrant Planning and Project Program in the following amounts:

<u>Quadrant</u>	<u>Amount</u>
Northwest	\$10,000
Northeast	\$10,000
Southwest	\$10,000
Southeast	\$10,000
Downtown	\$10,000

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the program.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-119
Re: 2014-15 Consolidated Community
Development Plan - Home
Rochester Program

Transmitted herewith for your approval is legislation related to the 2014-15 Home Rochester program as described in the 2014-15 Consolidated Community Development Action Plan (Con Plan). This legislation will:

1. Appropriate funds from the 2014-15 Con Plan (contingent upon approval) as follows:

<u>Amount</u>	<u>Source</u>	<u>Purpose</u>
\$186,000	Housing Development Fund: Housing Development Support (CDBG)	Program Operation
\$300,000	Housing Development Fund: Community Housing Development Organization (CHDO) (HOME funds)	Development subsidies - incomes up to 80% of Area Median Income (AMI)
\$298,443	Homeownership Promotion Fund: Home Rochester (HOME funds)	Development subsidies - incomes up to 80% of AMI

2. Establish \$186,000 as maximum compensation for an agreement with Rochester Housing Development Fund Corporation (RHDFC) for operation of the Home Rochester program. The cost of the agreement will be financed from the CDBG funds appropriated herein.
3. Authorize agreements with certain qualified CHDOs for the administration of development subsidies totaling \$300,000 for families whose incomes are no more than 80% of AMI. These subsidies will be financed from the HOME funds appropriated herein.
4. Authorize an agreement with RHDFC for the administration of development subsidies totaling \$298,443 for families whose incomes are no more than 80% of AMI. These subsidies will be financed from the HOME funds appropriated herein.

The Home Rochester program provides for the acquisition and rehabilitation of vacant, single-family houses for resale to income-eligible households. RHDFC operates the Home Rochester program in partnership with the City, the Greater Rochester Housing Partnership, Inc. (GRHP), and neighborhood based non-profit developers. RHDFC buys vacant homes and oversees their renovation for sale to first-time homebuyers. Since its inception in 2001, 641 properties have been rehabbed and sold to first-time homebuyers.

The total of \$598,443 proposed for development subsidies will provide an average of \$40,000 each for the acquisition and rehabilitation of approximately 15 vacant structures. Participating developers include the Urban League of Rochester Economic Development Corporation (ULREDC), PathStone, and qualified CHDOs, which currently include the following seven organizations:

- Marketview Heights Association
- NCS Community Development Corporation
- North East Area Development (NEAD)
- Group 14621
- Isla Housing and Development Corporation
- South Wedge Planning Committee (SWPC)
- Ibero-American Development Corporation

The City is required to reserve at least 15% of its annual HOME award to fund the development of affordable housing by non-profit CHDOs. Each CHDO has demonstrated to the City that they continue to meet HUD requirements pertaining to legal status, organizational structure, capacity and experience. The City also reviews each organization's production, most recent annual audit, roster of current board members, and budget before designating them as qualified.

The rehabilitated properties will be marketed to families with incomes not exceeding 120% of AMI. All purchasers are required to attend pre- and post-purchase homebuyer training classes and to reside in the properties for a minimum of 10 years.

These programs support the Housing Development Fund objective of the City Housing Policy.

Agreement terms will be for up to two years, with an option to extend for an additional year if funds remain in the original appropriation. The City will enter into agreements only with organizations that are in compliance with Federal regulations.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-78

Ordinance No. 2014-119
(Int. No. 147)

Appropriating Funds And Authorizing Agreements For The Home Rochester Program

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

Section 1. There is hereby appropriated from the 2014-15 Consolidated Community Development Plan, Home Rochester Program, the amounts set forth below, or so much thereof as may be necessary, to fund housing development subsidies through the Home Rochester Program.

Contingent upon Adoption of the 2014-15 Consolidated Community Development Plan, Appropriate Funds from the 2014-15 Plan for the Home Rochester Program as follows:

<u>Amount</u>	<u>Source</u>	<u>Purpose</u>
\$186,000	Housing Development Fund: Housing Development Support (CDBG)	Program Operation
\$300,000	Housing Development Fund: Community Housing Development Organization (CHDO) (HOME funds)	Development subsidies - incomes up to 80% of AMI
\$298,443	Homeownership Promotion Fund: Home Rochester (HOME funds)	Development subsidies - incomes up to 80% of AMI

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary with the Rochester Housing Development Fund Corporation (RHDFC) to administer the Home Rochester Program in a maximum amount of \$186,000 and an agreement with RHDFC to administer development subsidies in a maximum amount of \$298,443 and agreements in a maximum amount of \$300,000 with designated Community Housing Development Organizations (CHDOs) and non-profit developers for the Home Rochester Program. Said agreements shall be funded from the amounts appropriated herein.

Section 3. The agreements shall be for a term of up to two years , with an option to extend for an additional year if funds remain in the original appropriation.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Miller, Patterson, Palumbo, Spaul.

Nays - None - 0.

Councilmember Ortiz abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-120
Re: 2014-15 Consolidated Community
Development Plan - Aging in Place
Home Modification Program

Transmitted herewith for your approval is legislation related to the Aging in Place Home Modification Program. This legislation will:

1. Appropriate \$20,000 from the Housing Development Fund, Emergency Assistance Repair Program allocation of the 2014-15 Consolidated Community Development Plan (contingent upon approval) to address home safety modifications for income-eligible owner-occupants, and
2. Establish \$20,000 as maximum compensation for an agreement with Lifespan to implement the Aging in Place Home Modification Program, to be funded from the appropriation herein.

The proposed agreement is similar to the Aging in Place Home Modification Program authorized by City Council in July 2012 via Ordinance No. 2012-291. The program conducts residential safety evaluations to identify adaptations needed to support continued home residency as people age. Selected home modifications and/or repairs such as the installation of stairway handrails, bathtub grab bars, or hand-held shower units are provided. Additional details are provided in the attachment.

The City will enter into agreements only with organizations that are in compliance with Federal regulations.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-79

Ordinance No. 2014-120
(Int. No. 148)

Authorizing An Agreement And Appropriating Funds For The Aging In Place Home Modification Program

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

Section 1. The Mayor is hereby authorized to enter into the following agreement to implement the Aging in Place Home Modification Program:

<u>Agency</u>	<u>Purpose</u>	<u>Amount</u>
Lifespan	Aging in Place	\$20,000

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$20,000, and said amount, or so much thereof as may be necessary, shall be funded from the Housing Development Fund, Emergency Assistance Repair Program of the 2014-15 Consolidated Community Development Plan contingent on adoption of that Plan, which amount is hereby appropriated for the program.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organiza-

tions that are in compliance with federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-121
Re: 2014-15 Consolidated Community Development Plan- Landlord Tenant Services Program

Transmitted herewith for your approval is legislation related to the Landlord Tenant Services program as described in the 2014-15 Consolidated Community Development Plan (Con Plan), contingent upon approval. This legislation will:

1. Appropriate \$130,000 from the Community Development Block Grant, Rental Market Fund of the 2014-15 Con Plan for the Landlord Tenant Services program; and
2. Establish \$130,000 as maximum compensation for an agreement with the Legal Aid Society of Rochester, New York, Inc. to implement the Landlord Tenant Services program which will be funded from the appropriation herein.

The Legal Aid Society will serve as lead agency in partnership with Legal Assistance of Western New York. Services for landlords and tenants include:

- Training for landlords on operating rental property as a business, and compliance with fair and housing quality standards; and
- Eviction prevention services for tenants to reestablish or attain stable housing situations.

If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly. Agreement terms will be for one year, with the option to extend for an additional year if funds remain in the original appropriation. The City will enter into agreements only with organizations that are in compliance with Federal regulations.

This legislation supports Section 3 of the City Housing Policy: Support Efforts to Strengthen the Rental Market.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-80

Ordinance No. 2014-121
(Int. No. 149)

Authorizing An Agreement And Appropriating Funds For The Landlord/Tenant Services

Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement to implement the Landlord/Tenant Services Program with the Legal Aid Society of Rochester NY in a maximum amount of \$130,000. The term of the agreement shall be one year with an option for a one year renewal.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$130,000, and said amount, or so much thereof as may be necessary, shall be funded from the Rental Market Fund of the 2014-15 Consolidated Community Development Plan, which amount is hereby appropriated for the program.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Miller, Ortiz, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Palumbo abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-122
Re: 2014-15 Consolidated Community Development Plan - Foreclosure Prevention

Transmitted herewith for your approval is legislation related to foreclosure prevention activities as described in the 2014-15 Consolidated Community Development Plan (Con Plan), contingent upon approval. This legislation will:

1. Appropriate \$310,000 from the Community Development Block Grant, Homeownership Promotion Fund of the 2014-15 Con Plan for foreclosure prevention services; and
2. Establish a total of \$310,000 as maximum compensation for agreements with two agencies to provide foreclosure prevention services that will be funded from the appropriation herein.

<u>Agency</u>	<u>Amount</u>
The Housing Council in the Monroe County Area, Inc.	\$270,000
Empire Justice Center	<u>40,000</u>
	\$310,000

These two organizations are uniquely qualified. The Housing Council in the Monroe County Area, Inc. is a HUD-approved Housing Counseling Agency with the capacity to handle a large volume of cases. The Housing Council's services include review of households' financial circumstances, and negotiation with lenders to resolve mortgage arrears. The Empire Justice Center is a leader in developing statewide standards for legal service for foreclosure prevention. The Empire Justice Center will provide legal advice and litigation services when required by analyses of clients' circumstances.

If funds are different, not available, or are less than anticipated, the agreement amounts and terms will be adjusted accordingly. Agreement terms will be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

This legislation supports Section 2 of the City Housing Policy: Promote Home Ownership.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-81

Ordinance No. 2014-122
(Int. No. 150)

Authorizing An Agreement And Appropriating Funds For the Foreclosure Prevention Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement to implement the Foreclosure Prevention Program with the Housing Council of the Monroe County Area, Inc. in a maximum amount of \$270,000.

Section 2. The Mayor is hereby authorized to enter into an agreement to implement the Foreclosure Prevention Program with the Empire Justice Center in a maximum amount of \$40,000.

Section 3. The agreements shall obligate the City to pay an amount not to exceed \$310,000, and said amount, or so much thereof as may be necessary, shall be funded from the Homeownership Promotion Fund of the 2014-15 Consolidated Community Development Plan, which amount is hereby appropriated for the program.

Section 4. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 5. The agreements shall be for a term of one year with an option to extend for an additional one year.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-123,
Ordinance No. 2014-124,
Ordinance No. 2014-125 and
Ordinance No. 2014-126

Re: Consolidated Community Development
2014-15 Annual Action Plan

Transmitted herewith for your approval is legislation relating to the Consolidated Community Development 2014-15 Annual Action Plan. The legislation will:

1. Approve the 2014-15 Annual Action Plan.
2. Authorize the submission of the plan to the U.S. Department of Housing and Urban Development (HUD).
3. Authorize agreements with HUD for the receipt and use of grants to fund the Plan.
4. Appropriate \$150,000 in Urban Development Action Grant principal and interest repayments projected to be received during the 2014-15 program year for the City Development Fund (CDF).
5. Amend prior years' Community Development Block Grants to transfer \$553,178 to the Housing Development Fund of the Improve the Housing Stock and General Property Conditions allocation.
6. Amend prior years' HOME funds to transfer \$58,443 to the Homeownership Fund of the Improve the Housing Stock and General Property Conditions allocation.
7. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth below which may have changed prior to the date of this ordinance.

The Consolidated Community Development Plan consists of a strategic plan and annual action plans. The plan addresses HUD's planning and application requirements for its formula grant programs, which include: the Community Development Block Grant (CDBG), HOME Investment Partnerships

(HOME), Emergency Solutions Grant Program (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). HUD requires jurisdictions to prepare multi-year strategies and one year action plans for use of federal funds.

The annual action plan describes specific projects and activities that will be undertaken in the coming year with federal funds to address priority needs. Community input was solicited at a public hearing held on March 24, 2014.

The estimated total of funds available for 2014-15 is \$13,257,583 from the following sources:

<u>Source</u>	<u>Amount</u>
CDBG	\$ 7,963,860
HOME	1,978,236
ESG	666,000
HOPWA	687,866
CDF	150,000
CDBG Program Income	1,000,000
HOME Program Income	200,000
Reallocation of Prior Year CDBG Funds	553,178
Reallocation of Prior Year HOME Funds	<u>58,443</u>
Total	\$13,257,583

The funds have been allocated to the following objectives:

<u>Objective</u>	<u>Amount</u>	<u>Percent of Total</u>
Promote Economic Stability	\$ 1,605,000	12%
Improve the Housing Stock	10,599,156	80%
Respond to General Community Needs	\$454,522	3%
Other	<u>598,905</u>	5%
Total	<u>\$13,257,583</u>	100.0%

Significant allocation highlights include:

- \$1,025,000 for Economic Development Financial Assistance Loan and Grant Program
- \$180,000 for Targeted Façade Improvement Program
- \$3,885,457 for the Housing Development Fund
- \$943,443 for the Homeownership Fund
- \$267,122 for job creation and youth development
- \$1,392,772 for Focused Investment Strategy areas

Approval by the City Council of the Annual Action Plan is required by HUD. Approval of the City Development Fund is required by Resolution 83-26 (adopted May 24, 1983).

A public hearing on the Consolidated Community Development Plan 2014-15 Annual Action Plan

and the reprogramming of funds is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-123
(Int. No. 151)

Approving The Consolidated Community Development Plan/2014-15 Annual Action Plan

WHEREAS, there is pending before this Council the Draft Consolidated Community Development Plan/2014-15 Annual Action Plan to be financed with \$13,257,583 available to the City of Rochester from the Community Development Block Grant, HOME Investment Partnerships, Emergency Solutions Grant Program, Housing Opportunities for Persons with AIDS Program, Urban Development Action Grant loan and interest repayments, other program income and reallocation of prior year funds; and

WHEREAS, the proposed plan was prepared according to an approved Citizen Participation Plan and reflects public comments and consultations; and

WHEREAS, notice of the proposed plan was published in the legal section of the Democrat and Chronicle on April 19, 2014; and

WHEREAS, citizens, public agencies and other interested parties were invited to submit comments by May 20, 2014; and

WHEREAS, the City Council has reviewed the needs, strategies and proposed actions with City staff; and

WHEREAS, the City Council conducted a public hearing on the Draft Consolidated Community Development Plan/2014-15 Annual Action Plan and the needs, strategies, proposed actions and annual performance; and

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

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

Section 1. The Council hereby adopts the Draft Consolidated Community Development Plan/2014-15 Annual Action Plan.

Section 2. The Mayor is hereby directed to prepare detailed programs and specifications for the various actions and to submit said plans to City Council for approval prior to implementation.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-124
(Int. No. 152)

Authorizing Submission Of The Consolidated Community Development Plan/2014-15 Annual Action Plan And Execution Of Grant Agreements With The United States Department Of Housing And Urban Development

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

Section 1. The Mayor is hereby authorized to submit the Consolidated Community Development Plan/2014-15 Annual Action Plan to the United States Department of Housing and Urban Development. The Mayor is hereby further authorized to provide any such information that may be required and to execute all necessary grant agreements with the United States Department of Housing and Urban Development for the Program Year beginning July 1, 2014.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-125
(Int. No. 153)

Appropriation Of Funds For The City Development Fund

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

Section 1. As part of the Consolidated Community Development Plan/2014-15 Annual Action Plan, the Council hereby appropriates the sum of \$150,000 in anticipated UDAG Loan Repayment Funds and reversionary interest payments and interest, to be utilized as capital for the City Development Fund.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary for the implementation of programs funded by the appropriations made herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-126
(Int. No. 154)

Authorizing Amendatory Community Development Program Plans

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

Section 1. The Council hereby approves amendments to prior year Consolidated Community Development Block Grant Plans as set forth below:

Amendments:

Amend the 2000-01, 2002-03, 2003-04, 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, and 2013-14 Consolidated Community Development Plans by transferring CDBG funds in the amount of \$77,000.00 from the 2000-01 Promote Economic Stability allocation, \$1,698.32 from the 2002-03 Neighbors Building Neighborhoods allocation and \$26,841.51 of the Promote Economic Stability allocation, \$3,512.02 from the 2003-04 Neighbors Building Neighborhoods allocation, \$333.87 from the Promote Economic Stability allocation, and \$3,978.20 from the Improve the Housing Stock and General Property Conditions allocation, \$24,452.50 from the 2004-05 Neighbors Building Neighborhoods allocation and \$2,073.87 from the Promote Economic Stability allocation, \$1,000 from the 2005-06 Neighbors Building Neighborhoods allocation, \$2,681.85 from the Promote Economic Stability allocation and \$814.02 from the Improve the Housing Stock and General Property Conditions allocation, \$134,895.39 from the 2006-07 Promote Economic Stability allocation, and \$7,587.85 from Improve the Housing Stock and General Property Conditions allocation, \$29,424.25 from the 2007-08 Promote Economic Stability allocation, and \$20,534.51 of the Improve the Housing Stock and General Property Conditions allocation, \$3,117.97 from the 2008-09 Promote Economic Stability allocation, \$144.75 from the 2009-10 General Community Needs allocation, \$3.10 of the 2010-11 Improve the Housing Stock and General Property Conditions allocation, \$150,000 of the 2011-12 Promote Economic Stability allocation and \$13,083.99 of the Improve the Housing Stock and General Property Conditions allocation, \$.03 of the 2012-13 Improve the Housing Stock and General Property Conditions allocation, and \$50,000 of the 2013-14 of the General Community Needs allocation for a total of \$553,178 of CDBG funds to the Housing Development Fund Account of the Improve the Housing Stock and General Property Conditions allocation for the respective years. In addition, the transfer of HOME funds in the amount of \$44,931 from the 2009-10 Neighborhood and Business Program Delivery Account of the Improve the Housing Stock and General Property Conditions allocation and \$13,512 of the 2010-11 Neighborhood and Business Program Delivery Account of the Improve the Housing Stock and General Property Conditions allocation to the Housing Development Fund of the Improve the Housing Stock and General Property Conditions allocation.

The accounts detailing the funds to be reallocated by the amendments set forth above are described below:

Consolidated Plan Funds reallocated by these amendments

<u>Account</u>	<u>PY Year</u>	<u>Ordinance</u>	<u>Amount</u>	<u>Allocation</u>
N. Clinton Avenue	2000-01	2000-219	\$ 77,000.00	Promote Economic Stability
Neighbors Building Neighborhoods	2002-03	2004-238	700.00	Neighbors Building Neighborhoods
Community Leadership	2002-03	2003-399	998.32	Neighbors Building Neighborhoods
Business Association Support	2002-03	2002-185, 2007-261	14,904.00	Promote Economic Stability
Security Camera	2002-03	2006-226	11,937.51	Promote Economic Stability
Sector Support	2003-04	2005-252	3,512.02	Neighbors Building Neighborhoods
Business Association Support	2003-04	2003-174, 2005-317	333.87	Promote Economic Stability
Rehab Rochester	2003-04	2005-254	3,978.20	Improve the Housing Stock & General Property Conditions
Neighbors Building Neighborhoods	2004-05	2005-378	24,440.00	Neighbors Building Neighborhoods
Design Center	2004-05	2005-022	12.50	Neighbors Building Neighborhoods
Business Association Support	2004-05	2004-191	2,073.87	Promote Economic Stability
Urban Agriculture	2005-06	2010-115	1,000.00	Neighbors Building Neighborhoods
Business Assistance Program	2005-06	2005-154	588.00	Promote Economic Stability
Business Association Support	2005-06	2005-154	1,918.85	Promote Economic Stability
Security Camera	2005-06	2005-154	175.00	Promote Economic Stability
Neighborhood Improvements	2005-06	2010-356, 2009-007	814.02	Improve the Housing Stock & General Property Conditions
Business Assistance Program	2006-07	2006-205	3,000.00	Promote Economic Stability

Business Association Support	2006-07	2006-205	24,284.00	Promote Economic Stability
Security Camera	2006-07	2006-205	731.00	Promote Economic Stability
Targeted Façade	2006-07	2010-209	106,880.39	Promote Economic Stability
Fair Housing Activities	2006-07	2006-135, 2006-344	8.00	Improve the Housing Stock & General Property Conditions
Housing Development Support	2006-07	2006-142	350.65	Improve the Housing Stock & General Property Conditions
Challenge Street	2006-07	2008-262	7,225.20	Improve the Housing Stock & General Property Conditions
Foreclosure Prevention	2006-07	2006-318	4.00	Improve the Housing Stock & General Property Conditions
Targeted Façade	2007-08	2010-209	29,424.25	Promote Economic Stability
Housing Development Support	2007-08	2007-254	52.43	Improve the Housing Stock & General Property Conditions
Neighborhood Right of Way	2007-08	2008-178	100.00	Improve the Housing Stock & General Property Conditions
Challenge Street	2007-08	2008-262	15,300.00	Improve the Housing Stock & General Property Conditions
RAP	2007-08	2007-188, 2007-379, 2008-011, 2008-354	4,914.33	Improve the Housing Stock & General Property Conditions
Foreclosure Prevention	2007-08	2008-214	4.00	Improve the Housing Stock & General Property Conditions
Lead Hazard Reduction	2007-08	2008-354	163.75	Improve the Housing Stock & General Property Conditions
Targeted Façade	2008-09	2010-209	3,117.97	Promote Economic Stability
Susan B. Anthony Pedestrian	2009-10	2012-308, 2012-333	144.75	General Community Needs
Mortgage Default Resolution	2010-11	2010-249	1.01	Improve the Housing Stock & General Property Conditions
Fair Housing	2010-11	2010-295	1.00	Improve the Housing Stock & General Property Conditions
Landlord Tenant	2010-11	2010-324	.05	Improve the Housing Stock & General Property Conditions
Housing Services Rev.	2010-11	2010-248	.04	Improve the Housing Stock & General Property Conditions
Foreclosure Prevention	2010-11	2010-249	1.00	Improve the Housing Stock & General Property Conditions
Targeted Façade	2011-12	2011-199	150,000.00	Promote Economic Stability
Lead Hazard	2011-12	2012-65	9,586.46	Improve the Housing Stock & General Property Conditions
Demolition	2011-12	2011-210	2,728.30	Improve the Housing Stock & General Property Conditions
Landlord/Tenant	2011-12	2011-198, 2011-347	769.23	Improve the Housing Stock & General Property Conditions

Tenant Services	2012-13	2012-186	.03	Improve the Housing Stock & General Property Conditions
Fire	2013-14	Unappropriated	<u>50,000.00</u>	General Community Needs
Total			\$553,178.00	

The total of \$553,178 in CDBG prior years will be reprogrammed to the Housing Development Fund of the Improve the Housing Stock and General Property Conditions allocation.

<u>Account</u>	<u>PY Year</u>	<u>Ordinance</u>	<u>Amount</u>	
2009 Neighborhood and Business Program Delivery	2009-10	2009-146	\$44,931.00	Improve the Housing Stock & General Property Conditions
2010 Neighborhood and Business Program Delivery	2010-11	2010-211	<u>13,512.00</u>	Improve the Housing Stock & General Property Conditions
Total			\$58,443.00	

The total of \$58,443 in HOME funds will be reprogrammed to the Homeownership Fund of the Improve the Housing Stock and General Property Conditions allocation.

Section 2. The Director of Finance shall record all transfers herein and shall have the authority to make adjustments to the amounts set forth which may have changed prior to the adoption of this ordinance.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-127
Re: Zoning Text Amendment -
Food Truck Vending

Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester by adding regulations to Section 120-149A pertaining to the establishment of Food Truck Vending as a Temporary Use.

Food trucks are growing in popularity around the country. This zoning text amendment will create provisions for food trucks to temporarily vend in locations outside of the approved spaces in the Center City District created for the food truck pilot program (Ord. No. 2014-75). Details on the proposed additions to the Zoning Code are attached.

The City Planning Commission will hold an informational meeting on the proposed text amendment on Monday, May 12, 2014. The results of that meeting, including the Planning Commission's recommendation, will be forwarded to City Council immediately following the meeting.

A public hearing is required for the zoning text amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-82

Ordinance No. 2014-127
(Int. No. 155)

Amending Chapter 120 Of The Municipal Code, Zoning Code, With Respect To Temporary Uses In Relation To Food Truck Vending

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

Section 1. Section 120-149 of the Municipal Code, Temporary Uses is hereby amended by adding a new subsection A(10) to read in its entirety as follows:

(10) Food Truck Vending, subject to the following:

(a) The Director of Planning and Zoning may approve up to 60 food truck vending events per calendar year except for:

- [1] Special Events approved through the Communications Office;
- [2] Events approved by the Director of the Public Market on Public Market property;
- [3] Food trucks operating in public parks approved by the Department of Recreation and Youth Services and/or the Monroe County Parks Department;
- [4] Food trucks included in the approval of farmer's markets operating on private property.

(b) Properties with the following legally established uses may apply for the temporary operation of food trucks:

- [1] Single family, two family, and multi-family residential (up to 2 events per year);
- [2] Non-profit, places of worship, and educational institutions (up to 60 events per year);
- [3] Government entities (up to 60 events per year);
- [4] Office, warehouse, industrial (up to 60 events per year);
- [5] Mixed use, retail, bars/restaurants (up to 60 events per year).

(c) Hours shall be limited to the permitted hours for outdoor uses in the zoning district. In no case shall food truck operation in residential districts be permitted between 9 PM and 9 AM.

(d) The Director of Planning and Zoning shall notify all property owners, both within and outside the municipal boundaries of the City of Rochester, within 100 feet from the property line of approved food truck vending events occurring three or more times per calendar year, and the official neighborhood contacts. At a minimum, the owners of 15 properties shall receive such notification.

(e) If the applicant for the temporary Certificate of Zoning Compliance is not the property owner, the expressed, written permission of the property owner is required.

(f) In all cases, the temporary Certificate of Zoning Compliance is valid for the calendar year and may be renewed on an annual basis.

(g) Food truck operation approved by a

temporary Certificate of Zoning Compliance shall also comply with all requirements and directives of the Rochester Fire Department and the Rochester Police Department.

(h) The temporary Certificate of Zoning Compliance shall only approve operation for food trucks that possess a valid solicitor's license issued by the City Clerk's Office.

Section 2. The existing subsection A(10) of Section 120-49 of the Municipal Code is hereby renumbered as A(11).

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmember Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - Councilmember Conklin - 1.

By Councilmember Haag
May 20, 2014

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 156 - Authorizing A Professional Services Agreement For Stockroom Inventory Audit Services

Int. No. 157 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$2,200,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Water Supply And Distribution Facilities At The Cobbs Hill Reservoir

Int. No. 158 - Establishing Maximum Compensation For A Professional Services Agreement For The East End (Metro Center) Parking Garage Rehabilitation Project

Int. No. 159 - Authorizing An Application And Agreement For A Grant With The New York State Department Of Transportation

Int. No. 160 - Authorizing An Agreement For The 2016 Federal Aid Preventive Maintenance Project And An Amendatory Agreement For Engineering Services

Int. No. 163 - Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$380,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Streets As A Part Of The Russell Street Group Project In The City

Int. No. 170 - Establishing Maximum Compen-

sation For A Professional Services Agreement For The Center City Two-Way Conversion Project And Appropriating Funds

The Jobs, Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 161 - Changing The Traffic Flow On Hubbell Park Between Greig Street And South Fitzhugh Street From Two-Way To Eastbound One-Way

Int. No. 162 - Approving Geometric Changes To Russell Street In Connection With The Russell Street Group Project, As Amended

Int. No. 164 - Approving Geometric Changes To Streets In Connection With The Center City Two-Way Conversion Project

Int. No. 165 - Changing The Traffic Flow On St. Paul Street Between East Main Street And Cumberland Street From One-Way Southbound To Two-Way Traffic

Int. No. 166 - Changing The Traffic Flow On North Clinton Avenue Between East Main Street And Cumberland Street From One-Way Northbound To Two-Way Traffic

Int. No. 167 - Changing The Traffic Flow On Bittner Street Between Andrews Street And Cumberland Street ~~From One-Way Southbound To Two-Way Traffic From Two-Way Traffic To One-Way Southbound, As Amended~~

Int. No. 168 - Changing The Traffic Flow On Stone Street Between The Stone Street Parking Garage And East Main Street From One-Way Northbound To Two-Way Traffic

Int. No. 169 - Changing The Traffic Flow On Division Street Between St. Paul Street And North Clinton Avenue From One-Way Eastbound To One-Way Westbound Traffic

Int. No. 171 - Approving Geometric Changes To Waring Road And Property Acquisitions In Relation To The Waring Road Street Improvement Project

Int. No. 173 - Approving Geometric Changes To Streets As Part Of The Inner Loop East Transformation Project

Int. No. 174 - Changing The Traffic Flow On South Union Street Between Monroe Avenue And East Avenue From One-Way Northbound To Two-Way Traffic

Int. No. 175 - Changing The Traffic Flow On North Union Street Between East Avenue And East Main Street From One-Way Northbound To Two-Way Traffic

Int. No. 176 - Changing The Traffic Flow On Howell Street Between Monroe Avenue And South Union Street From One-Way Eastbound To Two-

Way Traffic

Int. No. 177 - Changing The Traffic Flow On Dryer Alley Between South Union Street And Anson Place From One-Way Westbound To Two-Way Traffic

The following entitled legislation is being held in Committee:

Int. No. 172 - Approving Geometric Changes To South Plymouth Avenue, As Amended

Respectfully submitted,
Matt Haag (*Abstained on amending Int. No. 172*)
Elaine M. Spaul
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-128
Re: Agreement - Reliant Inventory Group, LLC, Stockroom Audits

Transmitted herewith for your approval is legislation establishing \$31,500 as maximum compensation for an agreement with Reliant Inventory Group, LLC, Miami, Florida for stockroom inventory audit services at Building Services, Equipment Services and the Water Bureau stockroom warehouses. The agreement will be financed from the 2013-14 budget of the Department of Environmental Services (DES) and subsequent annual budgets of DES, contingent upon their approval.

These agreements will conduct four monthly cycle counts and annual inventory audits at specified unit prices, for a term of one year with renewals for the subsequent two years. Similar agreements for these services have been in place since 1991.

Reliant Inventory Group, LLC was selected for audit services through a request for proposal process, which is described in the attached summary.

The audit services will result in the creation/retention of the equivalent of 0.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-83

Ordinance No. 2014-128
(Int. No. 156)

Authorizing A Professional Services Agreement For Stockroom Inventory Audit Services

BE IT ORDAINED, by the Council of the City

of Rochester as follows:

Section 1. The Mayor is authorized to enter into an agreement with Reliant Inventory Group, LLC for stockroom inventory audit services in a maximum annual amount of \$31,500. Said amount shall be funded from the 2013-14 Budget of the Department of Environmental Services contingent upon adoption of that budget.

Section 2. The agreement shall be for one year with an option for two one-year renewals. The amount of any future year shall be funded from that year's budget of the Department of Environmental Services contingent upon adoption of that budget.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2014-129

Re: Cobbs Hill Reservoir Structural and Mechanical Improvements Project

Transmitted herewith for your approval is legislation related to the Cobbs Hill Reservoir Structural and Mechanical Improvements project. This legislation will authorize the issuance of bonds totaling \$2,200,000 and the appropriation of the proceeds thereof for the project.

This project will involve replacing the structurally deficient portico floor with a new reinforced concrete floor. Concrete repairs and rehabilitation are planned for deteriorated areas within the pipe gallery and along the top of the monolith reservoir wall. Improvements to the reservoir wall and fountain include crack-filling and recaulking joints along the top of the wall. A new fountain control valve and inlet pipe will be installed downstream of the fountain. Additional improvements include a new gas fired furnace to replace an old oil burning furnace, new chemical feed lines, new electrical lighting and other repairs. The last major restoration of Cobbs Hill Reservoir occurred in 1985. The reservoir was last drained and cleaned in 2009 when a new check valve was installed on the inlet line.

The City successfully negotiated an agreement with the United States Environmental Protection Agency and the New York State Department of Health to defer the installation of ultraviolet (UV) disinfection at the Cobbs Hill and Highland Reservoirs until 2024. Originally, the UV treatment was to be installed by 2014. The structural and mechanical improvements, however, cannot be deferred due to the state of deterioration and the failure of some of the needed equipment. Program funds were identified in the 2012-13 Capital Improvement Program.

A total of four contracts will be awarded for the work described above in general construction; heating, ventilation and air-conditioning; plumbing; and electrical.

This work is scheduled to start by Summer 2014 and be substantially complete by Winter 2014. Final restoration will occur in Spring 2015. Resident project representative services will be provided under an existing agreement with Malcolm Pirnie - ARCADIS, US (Ord. No. 2012-258).

The project results in the creation/retention of the equivalent of 23.9 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-129
(Int. No. 157)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$2,200,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Water Supply And Distribution Facilities At The Cobbs Hill Reservoir

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of certain water supply and distribution facilities at the Cobbs Hill Reservoir in the City (the "Project") described herein. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,200,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,200,000 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Cobbs Hill Reservoir structural and mechanical improvement project:

This project will involve replacing the structurally deficient Portico floor with a new reinforced concrete floor. Concrete repairs/rehabilitation for deteriorated areas within the Pipe Gallery and along the top of the monolith reservoir wall. Improvements to the reservoir wall and fountain include crack filling and recaulking joints along the top of the wall. A new fountain control valve and inlet pipe downstream of the fountain will be installed. In addition other miscellaneous improvements include a new gas fired furnace to replace an old oil burning furnace, new chemical feed lines, new electrical lighting and other repairs

Section 2. Bonds of the City in the principal amount of \$2,200,000 are hereby authorized to be

issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$2,200,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

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

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

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

- (a) such obligations are authorized for an object or purpose for which the City is not autho-

rized to expend money, or

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-130
Re: East End Parking Garage Rehabilitation

Transmitted herewith for your approval is legislation establishing \$615,000 as maximum compensation for an agreement with T.Y. Lin International, Rochester, New York, for engineering design and resident project representation (RPR) services for the East End Parking Garage rehabilitation project. The cost of this agreement will be funded from the 2013-14 Parking Cash Capital.

T.Y. Lin International will provide engineering design and RPR services for the rehabilitation of the East End Parking Garage, which is located at the southwest corner of Scio and East Main Streets. The project includes repair and addition of supplemental post-tension strands in the existing post tensioned deck slabs, and related concrete repairs, waterproofing, sealing, joints replacements and drainage replacements. Deficiencies in mechanical, electrical, plumbing, Americans with Disabilities Act code compliance, signage and public safety may also be addressed as budget allows. The project scope includes site reconnaissance, preliminary and final design, bid, construction phase, and RPR services.

T.Y. Lin International was selected through a request for proposal process described in the attached summary.

Project design will begin in Summer 2014; it is anticipated that construction will begin early Spring 2015 with scheduled completion in Fall 2015.

Estimated cost for the project is \$615,000, which will result in the creation/retention of the equivalent of 6.75 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-84

Ordinance No. 2014-130
(Int. No. 158)

Establishing Maximum Compensation For A Professional Services Agreement For The East End (Metro Center) Parking Garage Rehabilitation Project

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

Section 1. The sum of \$615,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and T.Y. Lin International for architectural and engineering design and resident project representation services for the East End (Metro Center) Parking Garage Rehabilitation Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount shall be funded from the 2013-14 Cash Capital allocation of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-131
Re: Agreement - New York State Department Of Transportation, Transportation Alternatives Program Grant Application

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Department of Transportation (NYSDOT) for the City's application to and receipt of funding from the Transportation Alternatives Program (TAP). Applications are due on June 11, 2014.

TAP is a federal transportation funding program created by the Moving Ahead for Progress in the 21st Century Act (MAP-21) and is administered locally by the NYSDOT. The program provides funding, through a competitive process, for projects that benefit the traveling public, increase transportation choices and access, enhance the built and natural environments, and provide a sense of place. TAP is the successor to the popular Transportation Enhancements Program (TEP), which was discontinued in the latest federal transportation legislation.

The City intends to submit an application for an amount not to exceed \$1,600,000 in TAP funding for the design and construction of the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project. This project will result in streetscape

enhancements along Main Street between Liberty Pole Plaza and the Genesee River. The enhancements include new sidewalks, recessed parking areas, lighting, landscaping, and bike racks. Also included is implementation of the first phase of the Center City Pedestrian Wayfinding System, based on an award-winning plan completed in 2013. Future phases will extend the wayfinding system throughout the Center City area.

There is strong interest among community and business leaders to implement these streetscape enhancements as soon as possible following completion of the Transit Center in November 2014. If successful, the TAP funding will allow the City to complete the transformation of Main Street from a transit transfer facility to a visitor-friendly, complete street much sooner than would otherwise be feasible. The enhanced streetscape will contribute to the ongoing revitalization of the Main Street corridor. Total project cost is estimated at \$2,400,000. City staff are currently soliciting private funding contributions to strengthen the project's competitiveness.

The City has been successful in the three most recent TEP rounds, receiving \$1 million for the Elmwood/Collegetown Cycle Track in 2013, \$3.8 million for ArtWalk 2 in 2009, and \$2.0 million for the El Camino Trail in 2006. The proposed \$800,000 local match will be included in the 2015-16 Capital Improvement Plan.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-85

Ordinance No. 2014-131
(Int. No. 159)

Authorizing An Application And Agreement For A Grant With The New York State Department Of Transportation

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

Section 1. The Mayor is hereby authorized to submit a grant application to and enter into agreements with the New York State Department of Transportation for funding under the Transportation Alternatives Program to fund streetscape improvements on Main Street in the Center City area.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-132
Re: Amendatory Agreement - Erdman Anthony,
2016 Preventive Maintenance Contracts

Transmitted herewith for your approval is legisla-
tion related to 2016 Preventive Maintenance Federal
Aid Project at seven locations. This legislation
will:

1. Authorize agreements with the New York
State Department of Transportation (NYS-
DOT) necessary to participate in and adminis-
ter the project; and
2. Authorize an amendatory agreement with
Erdman Anthony for additional planning and
preliminary design services for the project.
The original agreement for \$239,000 was au-
thorized in January 2014 (Ord. No. 2014-11)
as part of the 2015 Preventive Maintenance
project. This amendment will increase max-
imum compensation by \$23,000 to a total of
\$262,000. The cost of the amendatory agree-
ment will be financed from prior years Cash
Capital allocations.

The 2016 Preventive Maintenance Federal Aid
Project, administered by the City under agreement
with the NYSDOT includes seven locations:

- Allen Street (Brown Street to Morrie Silver
Way);
- Brown Street (West Main Street to State
Street);
- Morrie Silver Way (Oak Street to State
Street);
- Wilder Street (Grape Street to Brown Street);
- N. Goodman Street (CSX Mainline to Garson
Avenue);
- E. Main Street (North Clinton Avenue to
North Goodman Street); and
- University Avenue (East Main Street to North
Union Street).

The project includes milling and resurfacing of the
pavement; spot curb replacements; installation or
upgrade of sidewalk curb ramps; adjustment and
repair of manholes, receiving basins, and water
valve castings; and replacement of traffic markings.
These improvements will enhance the surface drain-
age and riding quality of the roadway, improve
handicap accessibility, and expand the useful life of
the pavement structure. The construction cost is
estimated at \$3,000,000.

Erdman Anthony will include preliminary 2016
Preventive Maintenance design in its 2015 Preven-
tive Maintenance design agreement authorized in
Ordinance No. 2014 -11 to meet the schedule re-
quired to secure federal funding. It should be noted
that Erdman Anthony secured the 2015 Preventive
Maintenance project through a request for proposal
process.

The design report will be completed in Summer
2014, with construction in Spring 2016. The
amendatory design agreement will result in the
creation/retention of the equivalent of 0.2 full-time
jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-86

Ordinance No. 2014-132
(Int. No. 160)

**Authorizing An Agreement For The 2016
Federal Aid Preventive Maintenance Project
And An Amendatory Agreement For Engineer-
ing Services**

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

Section 1. The Council hereby approves partici-
pation in and administration by the City of the 2016
Federal Preventive Maintenance Project.

Section 2. The Mayor is hereby authorized to
enter into such agreements with the New York
State Department of Transportation as may be
necessary for the City to participate in and adminis-
ter and fund the local share of the Project. The
Mayor is hereby further authorized to enter into
necessary agreements with the New York State
Department of Transportation providing for City
responsibility for the maintenance and repair of the
Project improvements.

Section 3. The compensation to be paid for a
professional services agreement between the City
and Erdman Anthony for design services for the
Project as authorized by Ordinance No. 2014-11 is
herby increased from \$239,000 to a maximum of
\$262,000 and the Mayor is authorized to enter into
an amendatory agreement for said amount. The
agreement may extend until six (6) months after
completion and acceptance of the construction of
the Project. The additional amount of \$23,000
shall be funded from the Cash Capital allocation
from prior years.

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

Section 5. This ordinance shall take effect im-
mediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-133
Re: Authorizing a Traffic Flow Change -
Hubbell Park Eastbound One-Way

Transmitted herewith for your approval is legisla-
tion authorizing a change in the direction of traffic

flow on Hubbell Park between Greig Street and South Fitzhugh Street from two-way traffic to one-way eastbound traffic.

The Hubbell Park eastbound one-way is requested by the Corn Hill Neighborhood Association on behalf of the residents and property owners of Hubbell Park as a traffic safety measure. Hubbell Park is a twenty-foot wide residential street with one-side parking. Residents are concerned with the frequency of conflicts between eastbound and westbound vehicles on the narrow street. Removing westbound traffic from the street will eliminate these conflicts with minimal impact on convenience.

A petition with support from more than 60% of the street's residents was reviewed and verified by Department of Environmental Services staff, as required. The change to eastbound one-way has been reviewed by the City's Traffic Control Board and will be endorsed at its May 6, 2014 meeting.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-87

Ordinance No. 2014-133
(Int. No. 161)

Changing The Traffic Flow On Hubbell Park Between Greig Street And South Fitzhugh Street From Two-Way To Eastbound One-Way

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Hubbell Park from two-way to eastbound one-way between Greig Street and South Fitzhugh Street.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-134 and
Ordinance No. 2014-135
Re: Russell Street Group Improvement Project
(University Avenue to Atlantic Avenue)

Transmitted herewith for your approval is legislation related to Russell Street Group Improvement Project. This legislation will:

1. Authorize the attached geometric changes for the Russell Street Group Improvement Project to increase on street parking in support of mixed use development in the area; and
2. Authorize the issuance of bonds totaling

\$380,000 and the appropriation of the proceeds thereof to finance the cost of the street improvements of the Project.

The project includes: replacement of curbs, driveway aprons, catch basins, water main improvements, partial replacement of sidewalks, street lights, and the proposed geometric changes. The construction cost is estimated at \$431,000, and will be funded from the bonds appropriated herein, and 2011-12 Cash Capital allocations including \$44,000 from the Water Fund. The Resident Project Representation Services for the project were approved at the April 2014 Council meeting (Ord. No. 2014-96).

The pavement width changes required for the project were endorsed by the Traffic Control Board on May 6, 2014. A public informational meeting will be held on May 8, 2014, and a copy of the meeting minutes will be forwarded.

Construction is expected to begin in Summer 2014, and be complete in Fall 2014. This project will result in the creation/retention of the equivalent of 4.7 full-time jobs. A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-88

Ordinance No. 2014-134
(Int. No. 162, As Amended)

Approving Geometric Changes To Russell Street In Connection With The Russell Street Group Project

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

Section 1. The Council hereby approves the following changes in the pavement width of Russell Street as part of the Russell Street Group project:

Pavement width changes on Russell Street from University Avenue to Atlantic Avenue:

- a. On the West Side of Russell Street beginning at University Avenue. Maintain the current 13' lane width for a distance of 290', then increasing to 18' for a distance of 120', then decreasing to 13' for a distance of 150', then increasing to 18' for a distance 120', then decreasing back to the original 13' lane width to the intersection with Atlantic Avenue;
- b. On the East Side of Russell Street beginning at University Avenue. Maintain the current 13' lane width for a distance of 173', then increasing to 18' for a distance of 120', then decreasing to 13' for a distance of 131', then increasing to 18' for a distance ~~283'~~ 275', then decreasing back to the original 13' lane width to the intersection with Atlantic Avenue;

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

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Ordinance No. 2014-135
(Int. No. 163)

Bond Ordinance Of The City Of Rochester, New York, Authorizing The Issuance Of \$380,000 Bonds Of Said City To Finance The Cost Of Construction And Reconstruction Of Certain Streets As A Part Of The Russell Street Group Project In The City

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the construction and reconstruction of certain streets as a part of the Russell Street Group Project, including improvements to the streets in the City listed herein.(the "Project"). The total currently estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$431,000. The plan of financing includes the issuance of \$380,000 bonds of the City, and said amount is hereby appropriated therefor, together with the application of \$51,000 in current City funds, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Russell Street Group Project:

Russell Street between Atlantic Avenue and University Avenue

Elton Street between Atlantic Avenue and University Avenue

Section 2. Bonds of the City in the principal amount of \$380,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in an amount not to exceed the estimated maximum cost.

This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a. 20(c) of the Law, is fifteen (15) years.

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2014-136,
Ordinance No. 2014-137,
Ordinance No. 2014-138,
Ordinance No. 2014-139,
Ordinance No. 2014-140,
Ordinance No. 2014-141 and
Ordinance No. 2014-142

Re: Center City Two-Way Conversion Project

Transmitted herewith for your approval is legislation related to the Center City Two-Way Conversion Project. This legislation will:

1. Authorize the attached geometric changes for the Center City Two-Way Conversion Project;
2. Authorize a change in the direction of traffic flow on St. Paul Street between East Main Street and Cumberland Street from one-way southbound traffic to two-way traffic;
3. Authorize a change in the direction of traffic flow on North Clinton Avenue between East Main Street and Cumberland Street from one-way northbound traffic to two-way traffic;
4. Authorize a change in the direction of traffic flow on Bittner Street between Cumberland Street to Andrews Street from two-way traffic to one-way southbound traffic;
5. Authorize a change in the direction of traffic flow on Stone Street between the Stone Street Parking Garage and East Main Street from one-way northbound traffic to two-way traffic;
6. Authorize a change in the direction of traffic flow on Division Street between the St. Paul Street and North Clinton Avenue from one-way eastbound traffic to westbound traffic;
7. Appropriate \$70,132 in anticipated reimbursements from New York State which will be used to finance a portion of the project construction; and
8. Establish \$200,000 as maximum compensation for an agreement with Fisher Associates, P.E., for resident project representation (RPR) services. The cost of the agreement will be funded from the bonds appropriated under

Ordinance No. 2014-8.

The Center City Two-Way Conversion Project implements the planned two-way conversion of St. Paul Street and North Clinton Avenue between East Main Street and Cumberland Street, and the conversion of Bittner Street from two-way to one-way. The project includes the milling and resurfacing of St. Paul Street (East Main Street to Cumberland Street), North Clinton Avenue (East Main Street to Cumberland Street) and East Main Street (St. Paul Street/South Avenue to North/South Clinton Avenue), plus modifications to pavement markings, traffic signals, signing, and limited changes to curbs lines.

The original agreement with Fisher Associates was authorized in June 2012 (Ord. No. 2012-262), with an amendatory design agreement authorized in May 2013 (Ord. No. 2013-138) and in March 2014 (Ord. No. 2014-67). City Council authorized an agreement with the Rochester-Genesee Regional Transportation Authority (RGRTA) as a sub-grantee for a Federal Transit Administration (FTA) grant (Ord. No. 2014-7), appropriated the grant funds (Ord. No. 2014-7) and authorized the issuance of bonds for the local share (Ord. No. 2014-8) in January 2014.

The change in pavement width on North Clinton Avenue is related to its conversion to two-way traffic. The changes on Bittner Street are related to its conversion to one-way traffic. The changes to Central Avenue are related to a past conversion to one-way eastbound.

The change in traffic direction on St. Paul Street and North Clinton Avenue was recommended in the North/South Clinton Avenue and St. Paul Street/South Avenue Two-Way Conversion Study performed by The Laberge Group, as authorized by City Council in January 2011 (Ord. No. 2011-12). That study is the basis for the Center City Two-Way Conversion Project. The Laberge Group's study also recommended that Bittner Street be made into one-way southbound. The conversion to one-way traffic is expected to provide operational and safety benefits by reducing conflicts at the Inner Loop/St. Paul intersection.

The change in traffic direction on Division Street is intended to make it a couplet with Mortimer Street, with each street having an opposing direction.

The Stone Street two-way traffic conversion is not part of the Center City Two-Way Conversion Project. It is instead part of the new Hilton Garden Inn redevelopment at the corner of East Main and Stone Streets and it optimizes accessibility to the hotel for visitors.

The grant from New York State is related to the Federal grant. The amount is based on 50% of the required minimum local match for the Federal grant.

Fisher Associates, P.E. was selected through a request for proposal process described in the attached summary.

The Traffic Control Board will consider the direction changes at its meeting of May 6, 2014; the board's decision will be forwarded.

A public hearing on the pavement width changes and travel direction changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-89

Councilmember Haag moved to amend Int. No. 164.

Motion was seconded by Councilmember Palumbo.

Adopted unanimously.

Ordinance No. 2014-136
(Int. No. 164, As Amended)

Approving Geometric Changes To Streets In Connection With The Center City Two-Way Conversion Project

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

Section 1. The Council hereby approves changes to the pavement width of portions of North Clinton Avenue, Central Avenue and Bittner Street as follows:

Geometric Changes - Center City
Two-Way Conversion Project

Pavement width changes on North Clinton Avenue:

- a. A variable increase of 7 feet to 0 feet from 24 feet to a variable width of 31 feet to 24 feet, from Cumberland Street to 95 feet south of Cumberland Street.

Pavement width changes on Central Avenue:

- a. A decrease of 10 feet from a width of 40 feet to a width of 30 feet, from North Clinton Avenue to 30 feet west of North Clinton Avenue.
- b. The removal of the northern most of three entrances to Central Avenue from St. Paul Street.

Pavement width changes on Bittner Street:

- ~~a. A decrease of 10 feet from a width of 40 feet to a width of 30 feet, from North Clinton Avenue to 30 feet west of North Clinton Avenue.~~
- a. A decrease of 9 feet from a width of 26 feet to a width of 17 feet, from Cumberland Street to 80 feet south of Cumberland Street:
- b. The removal of the entrance to Bittner Street from Andrews Street.

- c. For the exit from Bittner Street onto Andrews Street, an increase of 7 feet from a width of 17' to a width of 24'.

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

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Ordinance No. 2014-137
(Int. No. 165)

Changing The Traffic Flow On St. Paul Street Between East Main Street And Cumberland Street From One-Way Southbound To Two-Way Traffic

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on St. Paul Street between East Main Street and Cumberland Street from one-way southbound to two-way traffic.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-138
(Int. No. 166)

Changing The Traffic Flow On North Clinton Avenue Between East Main Street And Cumberland Street From One-Way Northbound To Two-Way Traffic

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on North Clinton Avenue between East Main Street and Cumberland Street from one-way northbound to two-way traffic.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Haag moved to amend Int. No. 167.

Motion was seconded by Councilmember Palumbo.

Adopted unanimously.

Ordinance No. 2014-139
(Int. No. 167, As Amended)

Ordinance No. 2014-142
(Int. No. 170)

Changing The Traffic Flow On Bittner Street Between Andrews Street And Cumberland Street From One-Way Southbound To Two-Way Traffic From Two-Way Traffic to One-Way Southbound

Establishing Maximum Compensation For A Professional Services Agreement For The Center City Two-Way Conversion Project And Appropriating Funds

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

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Bittner Street between ~~East Main~~ Andrews Street and Cumberland Street from two-way traffic to one-way southbound traffic.

Section 1. The sum of \$200,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Fisher Associates, P.C., for engineering and resident project representation services for the Center City Two-Way Conversion Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from the bonds appropriated by Ordinance No. 2014-8.

Section 2. This ordinance shall take effect immediately.

Section 2. The amount of \$70,132 is hereby appropriated to partially fund the Center City two-way conversion project, from anticipated reimbursements to be received from New York State for the project.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-140
(Int. No. 168)

Changing The Traffic Flow On Stone Street Between The Stone Street Parking Garage And East Main Street From One-Way Northbound To Two-Way Traffic

TO THE COUNCIL
Ladies and Gentlemen:

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

Ordinance No. 2014-143
Re: Waring Road Street Improvements
(Culver Road to Norton Street)

Section 1. The Council hereby approves a change in the direction of the traffic flow on Stone Street between the Stone Street Parking Garage and East Main Street from one-way northbound to two-way traffic.

Transmitted herewith for your approval is legislation related to the Waring Road Street Improvement Project. The legislation will:

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

1. Authorize the attached geometric changes for the Waring Road Street Improvement Project.
2. Authorize acquisitions, by negotiation or condemnation, of seven parcels noted below to be dedicated, at a later date, as additional right-of-way.

Ordinance No. 2014-141
(Int. No. 169)

Changing The Traffic Flow On Division Street Between St. Paul Street And North Clinton Avenue From One-Way Eastbound To One-Way Westbound Traffic

The Waring Road Street Improvement Project is a federal-aid project administered by the City through the New York State Department of Transportation (NYSDOT). On August 6, 2011, City Council authorized a professional service agreement with Clark Patterson Lee for planning and design of the Waring Road Street Improvement Project for maximum compensation of \$650,000 (Ord. No. 2011-282). Construction funding is anticipated by the Federal Highway Administration in the future.

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Division Street between St. Paul Street and North Clinton Avenue from one-way eastbound to one-way westbound traffic.

The acquisitions on Waring Road are required for the installation of the proposed improvements. The values of these properties were established by an independent appraisal performed by Stropp Ap-

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

praisal. Review appraisals were performed by the NYSDOT local office. The total acquisition costs, including closing costs, will not exceed \$5,400 and will be financed from prior years' cash capital.

<u>Address</u>	<u>Sq. Ft.</u>	<u>Value</u>
<u>Property Owner</u>		
505 Waring	24	\$ 500
Charles Smith & Sharon Logan-Smith		
451 Waring	12	400
David Valentini		
375 Waring	18	200
Daniel W. Martin & Lori M. Skinner		
202 Waring	8	300
Marta Ramos		
5 Elbert St	8	500
Debra J. Siplin		
90 Waring	211	600
Sarah Labombard		
65 Waring	68	400
Rochester Civic Housing, Inc.		
Total		\$2,900

The project includes the reconstruction of the pavement; curb bump-outs; replacement of curb; sidewalk replacement as needed; driveway aprons; bicycle facility pavement markings and signage; installation of ADA compliant curb ramps; street lighting upgrades; water main, services and hydrants; catch basins; street trees and the proposed geometric changes. The geometric changes comply with the City's Complete Streets Policy. The curbed bump-outs are intended to encourage pedestrian traffic by narrowing the crossing distance at the described corners, and slow traffic. The estimated cost of construction in 2014 dollars, including inspection and contingencies, is \$6,650,000.

Design of the project is scheduled to be completed in Spring 2014. Construction is anticipated to begin upon the availability of federal funding.

A Citizens Advisory Group meeting was held on March 1, 2012 and two Public Informational meetings were held on May 17, 2012 and December 4, 2013. Copies of these meeting minutes are attached.

The Traffic Control Board will consider the pavement width changes required for the project at its meeting of May 6, 2014; the board's decision will be forwarded.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-90

Ordinance No. 2014-143
(Int. No. 171)

Approving Geometric Changes To Waring Road And Property Acquisitions In Relation To The Waring Road Street Improvement Project

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

Section 1. The Council hereby approves the following changes in the pavement width of Waring Road as part of the Waring Road Street Improvement Project:

Waring Road Improvements Project
(Norton Street to Culver Road)
Pavement width changes along
Waring Road:

- 1) Transitioning from 40 feet wide to 32 feet wide beginning at a point approximately 185 feet south of Norton Street for a distance of 235 feet to a point approximately 100 feet south of Blakeslee Street.
- 2) Transitioning from 40 feet wide to 32 feet wide beginning at a point approximately 145 feet south of Blakeslee Street to Traver Circle for a distance of 125 feet.
- 3) Transitioning from 40 feet wide to 32 feet wide beginning at a point approximately 360 feet south of Traver Circle to Lyceum Street for a distance of 115 feet.
- 4) Transitioning from 40 feet wide to 43 feet wide beginning at a point approximately 315 feet south of Veteran Street to a point approximately 45 feet north of Master Street for a distance of 845 feet.
- 5) Transitioning from 40 feet wide to 32 feet wide beginning at a point approximately 165 feet north of Master Street to a point approximately 105 feet south of Marne Street for a distance of 390 feet.
- 6) Transitioning from 40 feet wide to 32 feet wide beginning at a point approximately 245 feet south of Marne Street to a point 335 feet south of Northland Avenue for a distance of 430 feet.
- 7) Transitioning from 40 feet wide to 32 feet wide beginning at a point approximately 435 feet south of Crossfield Street to Culver Road for a distance of 145 feet.

Section 2. The Council hereby approves the acquisition of the parcels described below by negotiation or condemnation as part of the Waring Road Street Improvement Project. The acquisition costs shall not exceed \$5,400 including closing costs and shall be funded from prior year Cash Capital.

<u>Address</u>	<u>Sq. Ft.</u>	<u>Value</u>
<u>Property Owner</u>		
505 Waring	24	\$500
Charles Smith & Sharon Logan-Smith		
451 Waring	12	\$400
David Valentini		
375 Waring	18	\$200
Daniel W. Martin & Lori M. Skinner		
202 Waring	8	\$300
Marta Ramos		

5 Elbert St	8	\$500
Debra J. Siplin		
90 Waring	211	\$600
Sarah Labombard		
65 Waring	68	\$400
Rochester Civic Housing, Inc.		

Section 3. The changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2014-144,
Ordinance No. 2014-145,
Ordinance No. 2014-146 and
Ordinance No. 2014-147

Re: Inner Loop East Transformation Project,
Broadway to East Main Street

Transmitted herewith for your approval is legislation related to the Inner Loop East Transformation Project. This legislation will:

1. Authorize the attached geometric changes related to the Inner Loop Transformation Project;
2. Authorize a change in the direction of traffic flow on South Union Street between Monroe Avenue and East Avenue from one-way northbound traffic to two-way traffic;
3. Authorize a change in the direction of traffic flow on North Union Street between East Avenue and East Main Street from one-way northbound traffic to two-way traffic;
4. Authorize a change in the direction of traffic flow on Howell Street between Monroe Avenue and South Union Street from one-way eastbound traffic to two-way traffic; and
5. Authorize a change in the direction of traffic flow on Dryer Alley between South Union Street and Anson Place from one-way westbound traffic to two-way traffic.

The Inner Loop Transformation project will remove the aging 50-year old eastern segment of the Inner Loop expressway between Broadway and Richmond Street and replace it with appropriately-scaled, complete streets along Howell, South Union, and North Union Streets. The pavement width and directional changes will enable the new streets to serve the adjacent properties and development sites, and enhance the area's livability by allowing people to walk and bicycle between neighborhoods and downtown more easily. As a result of the Inner Loop Transformation, approximately 6.1 acres of new redevelopment sites will be created in the East End, one of Rochester's quickly developing down-

town districts.

The Inner Loop East Transformation project was awarded \$17.7 million in federal 2013 Transportation Investment Generating Economic Recovery (TIGER) discretionary grant funding, and is one of only 52 transportation projects nationwide to receive this competitive grant. Total construction cost is estimated at \$27.3 million, which includes resident project representation and contingency, with the remaining funding from New York State (\$7.4 million) and the City and Monroe County (\$2.2 million).

In addition to the attached geometric changes, the project will change Howell Street and the I-490 on-ramp to the west of Monroe Avenue, and construct new ramps to connect North Union Street with the remaining portion of the Inner Loop near East Main Street. These geometric changes at each end of the project are not included in this legislation since both areas will remain under the jurisdiction of New York State.

Design of the project is scheduled to be completed in Summer 2014. Construction is expected to begin in Fall 2014, and be completed by Spring 2018.

A public informational meeting will be held on May 6, 2014. A copy of the minutes of this meeting will be forwarded. The Traffic Control Board will consider the pavement width changes required for the project on May 6, 2014; the board's decision will be forwarded.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-91

Ordinance No. 2014-144
(Int. No. 173)

Approving Geometric Changes To Streets As Part Of The Inner Loop East Transformation Project

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

Section 1. The Council hereby approves the following changes in the pavement width of streets as part of the Inner Loop East Transformation Project:

Geometric Changes - Inner Loop East Transformation Project

1. Pavement width changes on South Union Street from Monroe Avenue to East Avenue:
 - A. Mainline Pavement Widths
 - 1) A 40 foot pavement width beginning at the intersection of Monroe

Avenue and continuing northerly to approximately 67 feet south of Lafayette Park intersection.

- 2) A 34 foot pavement width beginning at approximately 67 feet south of Lafayette Park and continuing northerly to Lafayette Park intersection.
- 3) A 37 foot pavement width beginning at Lafayette Park intersection and continuing northerly approximately 121 feet north of Lafayette Park.
- 4) A 51 foot pavement width beginning approximately 121 feet north of Lafayette Park and continuing northerly to Dryer Alley intersection.
- 5) A 37 foot pavement width beginning at Dryer Alley intersection and continuing northerly approximately 61 feet north of East Broad Street intersection.
- 6) A 37 foot pavement width beginning at approximately 61 feet north of East Broad Street and increasing to 48 foot pavement width approximately 90 feet south of East Avenue intersection.
- 7) A 48 foot pavement width beginning 90 feet south of East Avenue and continuing northerly to East Avenue intersection.

B. Recessed Parking Lane

- 1) An 8 foot wide recessed parking lane along the westerly side of South Union Street, beginning approximately 60 feet south of Howell Street and ending approximately 82 feet to the south.
- 2) An 8 foot wide recessed parking lane along the westerly side of South Union Street, beginning approximately 61 feet north of East Broad Street and ending approximately 107 feet to the north.
- 3) An 8 foot wide recessed parking lane along the westerly side of South Union Street, beginning approximately 90 feet south of East Avenue and ending approximately 86 feet to the south.
- 4) An 8 foot wide recessed parking lane along the easterly side of South Union Street, beginning approximately 67 feet south of East Avenue and ending approximately 294 feet to the south.

C. Curb Bump-outs

- 1) An 8 foot reduction in pavement width along the westerly side of South Union Street, beginning at the centerline of Buena Place and extending approximately 76 feet to the south.
 - 2) A 6 foot reduction in pavement width along the easterly side of South Union Street, beginning approximately 49 feet south of Buena Place and ending approximately 40 feet north of Buena Place.
 - 3) An 8 foot reduction in pavement width along the westerly side of South Union Street, beginning approximately 95 feet south of Savannah Street and ending approximately 58 feet north of Savannah Street.
2. Pavement width changes on North Union Street from East Avenue to University Avenue:

A. Mainline Pavement Width

- 1) A 56 foot pavement width beginning at the intersection of East Avenue and continuing northerly approximately 154 feet north of East Avenue.
- 2) A 56 foot pavement width beginning 154 feet north of East Avenue and decreasing to 51 foot pavement width approximately 242 feet north of East Avenue.
- 3) A 51 foot pavement width beginning 242 feet north of East Avenue and continuing northerly to approximately 152 feet south of University Avenue.
- 4) A 51 foot pavement width beginning approximately 152 feet south of University Avenue and decreasing to 43 foot pavement width approximately 39 feet south of University Avenue.
- 5) A 43 foot pavement width beginning approximately 39 feet south of University Avenue and continuing northerly to the intersection of University Avenue.

B. Curb Bump-outs

- 1) An 8 foot reduction in pavement width along the westerly side of North Union Street, beginning at the intersection of East Avenue and extending approximately 86 feet to the north.

- 2) An 8 foot reduction in pavement width along the westerly side of North Union Street, beginning approximately 92 feet south of Charlotte Street and extending northerly to Charlotte Street.
 - 3) An 8 foot reduction in pavement width along the westerly side of North Union Street, beginning approximately 70 feet south of University Avenue and extending northerly to the intersection of University Avenue.
 - 4) An 8 foot reduction in pavement width along the easterly side of North Union Street, beginning approximately 51 feet south of Charlotte Street and ending approximately 46 feet north Charlotte Street.
3. Pavement width changes on Pitkin Street from East Avenue to Charlotte Street:
 - A. Mainline Pavement Width
 - 1) A 20 foot pavement width beginning at the intersection of East Avenue and continuing northerly to the intersection of Charlotte Street.
 - B. Curb Bump-outs
 - 1) A 6 foot reduction in pavement width along the westerly side of Pitkin Street, beginning at East Avenue and extending approximately 39 feet to the north.
 - 2) A 6 foot reduction in pavement width along the westerly side of Pitkin Street, beginning at Charlotte Street and extending approximately 51 feet to the south.
 4. Pavement width changes on Dryer Alley from South Union Street to Anson Place:
 - A. Mainline Pavement Width
 - 1) A 20 foot pavement width beginning at the intersection of South Union Street and continuing easterly to the intersection of Anson Place.
 5. Pavement width changes on Savannah Street from South Union Street to the angle point:
 - A. Mainline Pavement Width
 - 1) A 30 foot pavement width beginning at the intersection of South Union Street and continuing westerly to the intersection of existing Savannah Street from the north.
 6. Pavement width changes on East Broad Street from South Union Street to Savannah

Street:

- A. Mainline Pavement Widths
 - 1) A 39 foot pavement width beginning at the intersection of South Union Street and continuing westerly to approximately 80 feet west of South Union Street.
 - 2) A 55 foot pavement width beginning at approximately 80 feet west of South Union Street and continuing westerly to the Savannah Street intersection.
7. Pavement width changes on East Avenue from South Union Street to west of Pitkin Street:
 - A. Mainline Pavement Widths
 - 1) A 44 foot pavement width beginning at the intersection of South Union Street and continuing westerly to approximately 78 feet west of South Union Street.
 - 2) A 50 foot pavement width beginning at approximately 78 feet west of South Union Street and continuing westerly to approximately 58 feet west of the Pitkin Street intersection.
8. Pavement width changes on Charlotte Street from North Union Street to Pitkin Street:
 - A. Mainline Pavement Width
 - 1) A 32 foot pavement width beginning at the intersection of North Union Street and continuing westerly to the intersection of Pitkin Street.
9. Pavement width changes on Howell Street from Monroe Avenue to South Union Street:
 - A. Mainline Pavement Width
 - 1) A 49 foot pavement width beginning at the intersection of Monroe Avenue and decreasing to 38 foot pavement width approximately 142 feet west of Savannah Street.
 - 2) A 38 foot pavement width beginning approximately 142 feet west of Savannah Street and decreasing to 28 foot pavement width approximately 42 feet west of Savannah Street.
 - 3) A 28 foot pavement width beginning approximately 42 feet west of Savannah Street and continuing east to the South Union Street intersection.

B. Recessed Parking lane

- 1) An 8 foot wide recessed parking lane along the southerly side of Howell Street, beginning approximately 59 feet east of Monroe Avenue and ending approximately 184 feet to the east.
- 2) An 8 foot wide recessed parking lane along the southerly side of Howell Street, beginning approximately 52 feet east of Savannah Street and ending approximately 54 feet to the east.
- 3) An 8 foot wide recessed parking lane along the northerly side of Howell Street, beginning approximately 110 feet west of South Union Street and ending approximately 144 feet to the west.

10. Pavement width changes on Chestnut Street from Howell Street to Johnson Place:

A. Mainline Pavement Width

- 1) A 38 foot pavement width beginning at the intersection of Howell Street and increasing to 44 foot pavement width approximately 146 feet north of Howell Street.
- 2) A 44 foot pavement width beginning approximately 146 feet north of Howell Street (East) and increasing to 71 foot pavement width approximately 223 feet south of Johnson Place.
- 3) A 71 foot pavement width beginning approximately 223 feet south of Johnson Place and decreasing to 59 foot pavement width approximately 90 feet south of Johnson Place.
- 4) A 69 foot pavement width beginning approximately 90 feet south of Johnson Place and continuing northerly to the Johnson Place intersection.

11. Pavement width changes on Monroe Avenue from Savannah Street to Howell Street:

A. Mainline Pavement Width

- 1) A 44 foot pavement width beginning at the intersection of Savannah Street and continuing westerly to the intersection of Howell Street and I-490 Ramps.

12. Pavement width changes on Lafayette Park from South Union Street to 75 feet east:

A. Mainline Pavement Width

- 1) A 24 foot pavement width beginning at the intersection of South Union Street and continuing easterly approximately 32 feet east of South Union Street.
- 2) A 24 foot pavement width beginning at approximately 32 feet east of South Union Street and increasing to 42 foot pavement width approximately 75 feet east of South Union Street.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-145
(Int. No. 174)

Changing The Traffic Flow On South Union Street Between Monroe Avenue And East Avenue From One-Way Northbound To Two-Way Traffic

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on South Union Street between Monroe Avenue and East Avenue from one-way northbound to two-way traffic.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-146
(Int. No. 175)

Changing The Traffic Flow On North Union Street Between East Avenue And East Main Street From One-Way Northbound To Two-Way Traffic

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on North Union Street between East Avenue and East Main Street from one-way northbound to two-way traffic.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-147
(Int. No. 176)

Changing The Traffic Flow On Howell Street Between Monroe Avenue And South Union Street From One-Way Eastbound To Two-Way Traffic

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Howell Street between Monroe Avenue and South Union Street from one-way eastbound to two-way traffic.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-148
(Int. No. 177)

Changing The Traffic Flow On Dryer Alley Between South Union Street And Anson Place From One-Way Westbound To Two-Way Traffic

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Howell Street between Monroe Avenue and South Union Street from one-way eastbound to two-way traffic.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Haag moved to discharge Int. No. 5 from Committee.

Motion was seconded by Councilmember Palumbo.

Passed unanimously.

Councilmember Haag moved to amend Int. No. 5.

Motion was seconded by Councilmember Miller.

Passed unanimously.

Introductory No. 5 was introduced January 28, 2014 and appears in its original form with its transmittal letter on page 22 of the current Council Proceedings.

Attachment No. AN-92

Resolution No. 2014-25
(Int. No. 5, As Amended)

Resolution Approving Reappointments To The Downtown Enhancement District Advisory Committee

BE IT RESOLVED, by the Council of the City

of Rochester as follows:

Section 1. The Council hereby approves the reappointment of the following persons to the Downtown Enhancement District Advisory Committee:

<u>Name</u>	<u>Expiration</u>
James Brown	12/31/15
Rochester Riverside Convention Center	
Louis Nau	12/31/15
Canandaigua National Bank	
Scott Gonyea	12/31/15
Winn Residential	
Mark Stevens	12/31/15
S. B. Ashley	

Section 2. The Council hereby approves the appointment of Valarie Akinlawon, Metro Market, 72 East Main Street, to the Downtown Enhancement District Advisory Committee for a term which shall expire on December 31, 2015. Ms. Akinlawon shall replace Robert Tait, whose term has expired.

Section 3. This resolution shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 172
Re: University of Rochester Boathouse
At Brooks Landing

Transmitted herewith for your approval is legislation authorizing geometric changes to South Plymouth Avenue to accommodate truck and trail access for the University of Rochester's new boathouse. This legislation will authorize the addition of a pull-off lane separated by a curbed island, adjacent to the northbound travel lane of South Plymouth Avenue. The overall width will increase a maximum of 25.1 feet, from 41.5 feet to 66.6 feet, beginning 215.8 feet and ending 351.4 feet east of the Genesee Street intersection.

The University of Rochester will be locating their crew team into a river-level space being constructed within the Flats Tower at Brooks Landing, 1500 South Plymouth Avenue. To accommodate truck and trail access for the loading and unloading of boats, the University has proposed to construct a pull-off within the South Plymouth Avenue right-of-way. The pull-off would be physically separated from South Plymouth Avenue vehicular traffic by a curbed median for the safety of the users. The University estimates that the crew team would use the pull-off up to ten times during their rowing season (March - November), typically in early morning, and would occupy the pull-off for 60-90 minutes. When not in use by the University, the

pull-off would be available to the public for use as a car-top/hand-carried boat launch. Parking within the pull-off would be restricted to short-term use.

Design, construction and permitting related to the pavement width changes will be completed by the University, at their own time and expense. The University expects the improvements to be completed in August 2014.

The University met with the SouthWest Common Council on April 17, 2014 to discuss the project. Copies of the meeting minutes are attached. The pavement width changes required for the project were endorsed by the Traffic Control Board on April 15, 2014.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 172, As Amended

APPROVING GEOMETRIC CHANGES TO SOUTH PLYMOUTH AVENUE

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

Section 1. The Council hereby approves the following changes in the pavement width of South Plymouth Avenue:

Changes to the pavement width of South Plymouth Avenue:

The overall width will increase a maximum of 25.1', from 41.5' to 66.6', beginning ~~245.8'~~ 207.6' and ending 351.4' east of the Genesee Street intersection.

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

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Held in Committee.

By Councilmember McFadden
May 20, 2014

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 178 - Authorizing An Agreement With The Rochester Genesee Regional Transportation Authority Regarding Coordination Of Public Safety

And Security At The Transit Center

Int. No. 179 - Authorizing Amendatory Agreements Regarding The Smart Policing Grant

Int. No. 180 - Authorizing Agreements And Appropriating Funds For The Summer Of Opportunity Youth Program, As Amended

Int. No. 181 - Authorizing Agreements For Sexual Health Promotion For Young People

The Public Safety, Youth & Recreation Committee recommends for consideration the following entitled legislation:

Int. No. 185 - Amending Local Improvement Ordinance No. 1679 - Security At The Public Market

Respectfully submitted,
Adam C. McFadden
Matt Haag (*Abstained on Int. No. 181*)
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-149
Re: Memorandum of Understanding -
Rochester-Genesee Regional
Transportation Authority

Transmitted herewith for your approval is legislation authorizing a Memorandum of Understanding (MOU) between the City of Rochester and Rochester-Genesee Regional Transportation Authority (RGRTA) to establish the parties' mutual understanding on communication, coordination, and cooperation to maintain the safety and security of the RGRTA Transit Center.

On May 11, 2010, the Rochester City Council adopted Resolution No. 2010-16, in which the Council expressed its support for the construction by RGRTA of a 26-bay Transit Center, subject to the conditions set forth in the resolution. RGRTA has acknowledged that it will be responsible for the safety and security of the Transit Center. In Ordinance No. 2010-208, adopted on June 16, 2010, City Council stated that the City of Rochester is willing to provide assistance to RGRTA in fulfilling its responsibility for the safety and security of the Transit Center. This MOU establishes a framework for the Rochester Police Department (RPD) and RGRTA to communicate and coordinate RPD patrol services with RGRTA security services. RPD patrols will be handled within current RPD patrol staffing and budget. RPD will retain sole discretion of the manner, times, and staffing levels for such police patrols.

This MOU will remain in effect so long as RGRTA

continues to operate the Transit Center as a transit center, unless rescinded in writing by at least one party with ninety (90) days notice to the other party.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-149
(Int. No. 178)

Authorizing An Agreement With The Rochester-Genesee Regional Transportation Authority Regarding Coordination Of Public Safety And Security At The Transit Center

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester-Genesee Regional Transportation Authority (RGRTA) regarding coordination of public safety and security at the transit center. The agreement shall continue indefinitely as long as the RGRTA operates the transit center, but may be terminated by either party on 90 days written notice.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-150
Re: United States Department of Justice - Smart Policing Grant Extension

Transmitted herewith for your approval is legislation related to the Smart Policing Grant, which was authorized in August 2012 under Ordinance No. 2012-344. This legislation will:

1. Authorize a one-year extension for the agreement with the United States Department of Justice/Bureau of Justice Assistance (USDOJ/BJA) for the Smart Policing Grant. The term of the grant will be extended to September 30, 2015.
2. Authorize a one-year extension for the agreement with the Rochester Institute of Technology (RIT) for a grant mandated principal investigator and co-investigator who are assisting in the research of violence and dispute resolution. The term of the agreement will be extended to September 30, 2015. No additional funds are required for this extension.

The Smart Policing project, a collaboration of the

Rochester Police Department and RIT, is aimed at reducing crime in the city. The one-year extension for the project is requested because work began later than anticipated. Project goals and activities include: improving our understanding of the scope and nature of violent retaliatory disputes; establishing a dispute risk assessment method for police to identify and prioritize those at high-risk for retaliation; and creating, testing, evaluating and documenting a violent dispute intervention strategy that can be extended to other departments.

RIT is responsible for preparing the results and reports of grant activities for review by the BJA for possible national implementation.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-150
(Int. No. 179)

Authorizing Amendatory Agreements Regarding The Smart Policing Grant

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

Section 1. The Mayor is hereby authorized to enter into amendatory agreements with the United States Department of Justice and the Rochester Institute of Technology regarding the Smart Policing grant. The amendments shall extend the term of both agreements to September 30, 2015. The agreements were authorized by Ordinance No. 2012-344.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-151
Re: 2014 SOOP

Transmitted herewith for your approval is legislation related to the implementation of the 2014 Summer of Opportunity Program (SOOP), which will serve 473 youth through a combination of agency- and City-administered programs at a total cost of \$587,873. This legislation will:

1. Appropriate \$165,000 from the Job Creation/Youth Development Allocation of the 2014-15 Community Development Block Grant (CDBG), contingent upon approval of the 2014-15 Consolidated Plan;
2. Authorize an agreement with the New York State Department of Labor for the receipt and use of a \$250,000 summer jobs program grant, received through the efforts of New York Senator Joseph Robach; and
3. Establish a total of \$348,638 as maximum

compensation for agreements with 16 agencies for youth employment services summarized in the table below. These agreements will be funded from the 2014-15 Budget of the Department of Recreation and Youth Services contingent on its approval at the June 2014 meeting of City Council.

City funds of \$172,873 are included in the proposed 2014-15 Budget of the Department of Recreation and Youth Services.

<u>Revenue/Funding Source</u>	<u>Amount</u>
City General Fund	\$172,873
CDBG Job Creation/Youth Dev	165,000
NYS DOL grant	250,000
Total funding	\$587,873

Overview

The City’s SOOP collaborates with Rochester Works’ Summer Youth Employment Program (SYEP) to conduct joint recruitment and application intake for all applicants ages 14 to 20 years old seeking summer employment. Funding for the activities of SOOP and SYEP is separate. Job readiness training is provided to participants in the work experience program (Tier 1), and for those 16-20 year olds determined to need readiness training based on their pre-screening interviews. Jobs are also provided by the City (Tier 2). Parent Orientation is mandatory for parents of students aged 14-15.

Externally Administered Work Experience (Tier 1)

A request for proposals (RFP) was issued jointly by SOOP and SYEP. The RFP was sent directly to city and county youth services agencies, employers, colleges and school districts; and posted on the City and Rochester Works websites. A press advisory was also issued.

All proposal submissions were based on minimum wage (\$8.00/hour) for the students because SYEP is required to pay wages to students. Requiring all submissions to be based on minimum wage keeps proposals consistent for review criteria. Proposed programs accepted by SOOP for funding were then modified from minimum wage to stipends at \$600/student.

A total of 36 proposals were received from 28 agencies. Thirty proposals were approved for funding either by SOOP or SYEP. Funder decisions were based on applicant preference of wages or stipends, history working with agencies, and age of youth to be served. Agencies proposed working with 14-15 year olds, or 16+ year olds; SOOP’s priority is 14-15 year olds. The combined proposed awards total \$834,903, serving 611 youth. The 16 proposals below were selected by SOOP and will serve a total of 305 youth (263 are 14-15 year olds; 42 are 16+ year olds) at a cost of \$348,638.

<u>Agency/Program</u>	<u>Youth</u>	<u>Cost</u>	<u>Cost Per</u>	<u>Admin %</u>	<u>Project Description</u>
Boys & Girls Club Career Exploration	20	\$ 20,832	\$1,042	5%	Industry/Career Exploration
Pearl Ministries, Inc.	15	16,500	\$1,100	6%	Community Organizing, Project based Learning
Baden Street In-Control Drama	20	22,000	\$1,100	5%	Arts and youth; Leadership and Community Organizing
Baden Street In-Control Video	20	22,000	\$1,100	5%	Multi-media Production
Baden Street Wear Art	20	22,000	\$1,100	5%	Entrepreneurship and Art
Partners in Restorative Justice	10	11,000	\$1,100	10%	Music Building neighborhood
Ibero Landscape Apprentice	10	11,000	\$1,100	0%	Landscaping
Ibero STEM Arts	24	26,400	\$1,100	0%	Science, Technology, Engineering and Mathematics
Kuumba	30	33,000	\$1,100	0%	Multi-media Program
NEAD GET IT	30	36,000	\$1,200	7%	Community Service, Entrepreneurism and Career Exploration
Rochester Youth For Christ INVEST	25	27,500	\$1,100	0%	Entrepreneurship
MCC	24	30,514	\$1,271	12%	Leadership, Education & Recreation
RCTV Production Team	12	13,200	\$1,100	0%	Multi-media Production
Rochester Technology & Manufacturing Assoc	15	23,692	\$1,579	0%	Precision Machining
SWAN Be Strong with Rhinos	10	11,000	\$1,100	0%	Workforce Development for at-risk youth
Urban League Future Entrepreneurs	20	22,000	\$1,100	8%	Entrepreneurship
Total	305	\$348,638	\$1,143	5%	

SYEP anticipates awarding \$486,265, serving 306 youth (143 youth ages 14-15, 163 youth ages 16+) through 15 agencies. Details are attached.

Internally Administered Jobs (Tier 2)

In addition, the following SOOP components are jobs provided by the City. These jobs are based on the City pay schedule and payroll is administered directly by the City. R3G (Raising Guys & Girls to Greatness) is a program that will focus on life skill enrichments, leadership development and college awareness. It will serve twenty (20) students for 15 weeks in the fall, and twenty (20) students for 15 weeks in the spring who are in the 9th, 10th and 11th grades. A \$225 stipend will be given at the end of each 15 week cycle for the students that finish with a 90% attendance rate.

The total cost of these internal jobs will be \$234,135, which will be funded from the proposed 2014-15 Budget of the Department of Recreation and Youth Services.

<u>Internal Jobs Program</u>	<u># Youth</u>	<u>Total</u>
Recreation	70	\$127,099
Teens on Patrol (TOPS)	15	25,736
SOOP City Hall	10	17,000
SOOP Citizen U	33	55,000
R3G	40	9,300
Total	168	\$234,135

The table below shows total SOOP program expenses of \$586,373, which corresponds with total funding sources of the same amount in an earlier table.

<u>Total SOOP Expenses</u>	<u>Amount</u>
External Agency Contracts (16)	\$348,638
Internal Jobs	234,135
Other misc costs	5,100
Total Expenses	\$587,873

The City of Rochester will provide payroll processing services and check distribution for all internally administered job participants (Recreation, TOPS, SOOP City Hall, SOOP Citizen U and R3G) working at a City location.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AN-93

Ordinance No. 2014-151
 (Int. No. 180, As Amended)

Authorizing Agreements And Appropriating Funds For The Summer Of Opportunity Youth Program

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

Section 1. The Mayor is hereby authorized to enter into agreements to implement the Summer Of Opportunity Youth Program with the organizations listed below for the maximum amounts stated:

<u>Agency/Program</u>	<u>Youth</u>	<u>Cost</u>	<u>Cost Per</u>	<u>Admin %</u>	<u>Project Description</u>
Boys & Girls Club Career Exploration	20	\$ 20,832	\$1,042	56%	Industry/Career Exploration
Pearl Ministries, Inc.	15	16,500	\$1,100	6%	Community Organizing, Project based Learning
Baden Street In-Control Drama	20	22,000	\$1,100	58%	Arts and youth; Leadership and Community Organizing
Baden Street In-Control Video	20	22,000	\$1,100	58%	Multi-media Production
Baden Street Wear Art	20	22,000	\$1,100	58%	Entrepreneurship and Art
Partners in Restorative Justice	10	11,000	\$1,100	400%	Music Building neighborhood
Ibero Landscape Apprentice	10	11,000	\$1,100	0%	Landscaping
Ibero STEM Arts	24	26,400	\$1,100	0%	Science, Technology, Engineering and Mathematics
Kumba	30	33,000	\$1,100	0%	Multi-media Program

NEAD GET IT	30	36,000 <u>42,182</u>	\$1,200	7 <u>6</u> %	Community Service, Entrepreneurism and Career Exploration
Rochester Youth For Christ INVEST	25	27,500	\$1,100	0%	Entrepreneurship
MCC	24	30,514	\$1,271	4 <u>20</u> %	Leadership, Education & Recreation
RCTV Production Team	12	13,200	\$1,100	0%	Multi-media Production
Rochester Technology & Manufacturing Assoc	15	23,692	\$1,579	0%	Precision Machining
SWAN Be Strong with Rhinos	10	11,000	\$1,100	0%	Workforce Development for at-risk youth
Urban League Future Entrepreneurs	20	22,000	\$1,100	8%	Entrepreneurship
Total	305	\$348,638 <u>\$354,820</u>	\$1,143	5%	

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Labor for the receipt and use of a \$250,000 grant for a summer jobs program.

Section 3. The agreements shall obligate the City to pay an amount not to exceed a total of ~~\$348,638~~ \$354,820, and additional program services shall be provided by the Department of Youth and Recreation Services for a total program cost of ~~\$587,873~~ \$594,055, and said amounts, or so much thereof as may be necessary, shall be funded as follows: ~~\$172,873~~ \$179,055 from the 2014-15 Budget of the Department of Youth and Recreation Services contingent upon adoption of that budget; \$165,000 from the Job Creation/Youth Development allocation of the 2014-15 Consolidated Community Development Plan; and \$250,000 from the New York State Department of Labor grant, which amounts are hereby appropriated for the program.

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

Section 5. The agreements shall be for a term of one year with an option to extend for an additional one year.

Section 6. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined.

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Miller, Palumbo, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Ortiz abstained because of a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2014-152
 Re: Agreements - New York State
 Department of Health Grant,
 Promoting Sexual Health

Transmitted herewith for your approval is legislation related to a New York State Department of Health grant to promote sexual health among young people through youth leadership and community engagement. This legislation will:

1. Authorize an agreement with the New York State Department of Health for receipt and use of the fifth year of a five-year grant award of \$191,238 and any additional Cost of Living Adjustment funds. This amount is included in the 2014-15 Budget of the Department of Recreation and Youth Services, contingent upon City Council approval at the June 2014 meeting.
2. Establish \$97,721 as maximum compensation for an agreement with Baden Street Settlement of Rochester, Inc./Metro Council for Teen Potential, to recruit and supervise youth leaders, create a social marketing campaign, and conduct project outreach to local youth health clinics.
3. Establish \$20,000 as maximum compensation for an agreement with AC Center Inc., dba Trillium Health, to provide a part-time health educator to train youth leaders and co-facilitate health education workshops,

curriculum, and presentations related to the grant project.

Both agreements will be funded from the 2014-15 Budget of the Department of Recreation and Youth Services, and the term of both will be from June 16, 2014 to May 31, 2015.

The remaining grant funds (\$73,517) will be used to support City staff and operational costs needed for implementation of the program.

The goal of the program is to reduce HIV and sexually transmitted infections, and unintended pregnancies among Rochester youth of color from the ages of 13 to 24. Youth leaders, parents, health clinics, and community volunteers will be engaged to support and promote optimal sexual health for young people. Optimal sexual health refers to the support available to adolescents from their community, school, and family to assist them in realizing their individual potential around critical developmental tasks related to sexuality. Engaging youth leadership in facilitating the needed community changes is a unique aspect of this program.

It is anticipated that this program will engage 575 youth and families at community events with a health focus; 150 youth in workshops, curriculum delivery, and peer training activities; over 75 adults in youth-led workshops; and over 1,500 youth and adults through distribution of health information and social media.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-94

Ordinance No. 2014-152
(Int. No. 181)

Authorizing Agreements For Sexual Health Promotion For Young People

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Health for funding for a Sexual Health Promotion for Young People through Youth Leadership and Community Engagement Project. The amount of funding shall be \$191,238 and may be increased by the amount of any funds received for a cost of living adjustment.

Section 2. The Mayor is hereby further authorized to enter into an agreement with Baden Street Settlement of Rochester, Inc./Metro Council for Teen Potential in an amount not to exceed \$97,721 to provide project services.

Section 3. The Mayor is hereby further authorized to enter into an agreement with AC Center, Inc./dba Trillium Health in an amount not to exceed \$20,000 to provide a part-time health education coordinator for project activities.

Section 4. The agreements shall obligate the City to pay an amount not to exceed \$117,721, and said amount, or so much thereof as may be necessary, shall be funded from the 2014-15 Budget of the Department of Recreation and Youth Services, contingent upon adoption of said budget. The amounts of the agreements may be increased by the amount of any funds received for a cost of living adjustment.

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

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Haag abstained because of a familial relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Local Improvement Ordinance No. 1691
Re: Amendment - Local Improvement Ordinance No. 1679, Public Market Security Services

Transmitted herewith for your approval is legislation amending Local Improvement Ordinance No. 1679 which authorized the appropriation and assessment for security services at the Public Market. City Council approved this item at its March 2014 meeting. Since that time, a typographical error overstating the assessed amount was found in the legislation.

The original transmittal correctly stated that the assessment for 2014-15 security services at the Public Market is \$39,761.18; the accompanying legislation incorrectly stated that number as \$339,761.18. This amendment corrects that error.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Improvement Ordinance No. 1691
(Int. No. 185)

Amending Local Improvement Ordinance No. 1679 - Security At The Public Market

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

Section 1. Local Improvement Ordinance No. 1679 is hereby amended to read as follows:

Local Improvement Ordinance No. 1679

Section 1. The Council authorizes special security services for the Public Market during the fiscal year from July 1, 2014 to June 30, 2015.

Section 2. The Council hereby finds that such services will benefit both the City-owned portions of the Public Market and the privately-owned properties adjacent to the Public Market. The Council directs that a portion of the cost of providing such services be assessed against the privately-owned properties adjacent to the Public Market as listed below, which properties shall constitute the district of assessment. The total amount to be assessed for the 2014-15 year shall be ~~\$339,761.18~~ \$39,761.18. The amount to be assessed against each parcel shall include a fee of \$1,190 per parcel plus \$15.03 per foot of frontage. The frontage may be on more than one side of the parcel. The Council hereby determines that such formula represents the relative amount of benefit received by each such parcel from such services. The parcels to be assessed are as follows:

<u>Property Address</u>	<u>SBL No.</u>	<u>Front Footage</u>
248 N. Union St.	106.660-0001-014	558.27
171 Railroad St.	106.670-0001-078	190.25
60 Public Market	106.590-0003-008	40
64-66 Public Market	106.590-0003-009	40
68-70 Public Market	106.590-0003-010	40
50-52 Public Market	106.590-0003-006	40
55-57 Public Market	106.590-0003-007	40
59 Pennsylvania Ave.	106.590-0003-005.1	81.50
35 Pennsylvania Avenue	106.590.0003-002.1	120
16-18 Public Market	106.590-0003-001	40
25 Pennsylvania Avenue	106.580-0003-026	40
17-23 Pennsylvania Avenue	106.580-0003-027	40
15 Pennsylvania Avenue	106.580-0003-028	40
11 Pennsylvania Avenue	106.580-0003-029	19.57
9 Pennsylvania Avenue	106.580-0003-030	128.24

Section 3. The security services shall be provided by competitive contract. The special assessments levied hereunder shall be paid into the Public Market Enterprise Fund. The cost of providing such services shall be paid from the Public Market Enterprise Fund and the amounts assessed herein are hereby appropriated for that purpose.

Section 4. The assessments shall be billed on the tax bill issued on July 1, 2014 and shall be

due in one installment.

Section 5. This ordinance shall take effect on July 1, 2014.

Strikeout indicates deleted text, new text is underlined.

Passed unanimously.

By Councilmember Spaul
May 20, 2014

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 134 - Establishing Maximum Compensation For A Professional Services Agreement For Party In The Park Ticket Sales And Box Office Management

Int. No. 135 - Establishing Maximum Compensation For A Professional Services Agreement For Special Event Production Services

Respectfully submitted,
Elaine M. Spaul
Adam C. McFadden
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-153
Re: Agreement - SMG/Blue Cross Arena,
Party in the Park Box Office and Ticket
Sales Management Services

Transmitted herewith for your approval is legislation establishing \$15,000 as maximum compensation for an agreement with SMG/Blue Cross Arena (Jeff Calkins, Manager) for management of box office and ticket sales on-site during Party in the Park. The cost of this agreement will be funded from the 2013-14 (\$10,000) and 2014-15 (\$5,000) Bureau of Communications budget, contingent upon approval of the latter.

A similar agreement with SMG in the amount of \$24,800 was authorized by Ordinance No. 2013-112 in May 2013. In 2013, the Party in the Park concert series took place at the Riverside Festival Site, a City-owned parking lot. At that location, SMG provided general site management that included the provision of dressing room trailers, the arrangement for and payment of displaced parking, and advanced sale and on-site box office ticketing services.

This year, Party in the Park will move to Martin Luther King, Jr. Memorial Park at Manhattan Square and require fewer services from SMG. The

2014 agreement will be only for box office services and weekly ticket-taking services on site.

The 2013 actual cost of the box office component of SMG's agreement was \$4,860 for ten concerts, with only one entrance on the site. This year, Party in the Park will feature nine concerts, and it is anticipated that the new park location will require two to three entrances where SMG will provide ticket sale services.

Party in the Park will take place on Thursdays from June 19 - August 14.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-95

Ordinance No. 2014-153
(Int. No. 134)

Establishing Maximum Compensation For A Professional Services Agreement For Party In The Park Ticket Sales And Box Office Management

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

Section 1. The sum of \$15,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and SMG/Blue Cross Arena for Party in the Park ticket sales and box office management. Of said amount, \$10,000 shall be funded from the 2013-14 Budget of the Bureau of Communications, \$5,000 shall be funded from the 2014-15 Budget of the Bureau of Communications, contingent upon adoption of said budget.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-154
Re: Agreement - Northeastern Production Systems, Inc., Special Event Production Services

Transmitted herewith for your approval is legislation establishing \$444,500 as maximum compensation for an agreement of up to four years with Northeastern Production Systems, Inc. (Principal, Raymond DiBiase), Henrietta, NY, for sound, lighting, staging, and power production services at special events. Annual compensation for this agreement will be funded from the annual budgets of the Bureau of Communications, contingent upon

approval of the budgets:

<u>Year</u>	<u>Amount</u>
2014-15	\$106,200
2015-16	109,300
2016-17	112,400
2017-18	<u>116,600</u>
Total	\$444,500

The current agreement, authorized by Ordinance No. 2013-114 in May 2013, expires on June 30, 2014. A request for proposal for these services was issued in March 2014; it was mailed directly to fifteen local firms and was posted on the City web site. Proposals were received from Hamilton AV, Inc. and Northeastern Production Systems, Inc. A review by bureau staff resulted in the recommendation of Northeastern Production Systems, Inc. based on their state-of-the-art equipment, high quality services, experienced staff and pricing.

Special events and concerts produced by the City typically require the provision of various sound, lighting, and staging services. In some cases, they also require generators for power and distribution of such power. Under the proposed agreement, Northeastern will provide the sound, lighting, stage, stage roof, power and power distribution equipment and related services required for most special events and performances provided by the Communications Bureau, including the Party in the Park concerts, outdoor RPO concerts, noontime concerts, holiday events, and various other concerts throughout the year.

The agreement will have an initial term of one year with provisions for renewal for three one-year periods upon mutual consent. The costs for the additional years, listed above, include a percentage equivalent to the annual increase in the consumer price index for urban areas.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-96

Ordinance No. 2014-154
(Int. No. 135)

Establishing Maximum Compensation For A Professional Services Agreement For Special Event Production Services

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

Section 1. The sum of \$106,200, or so much thereof as may be necessary, is hereby established as the compensation to be paid for the first year of a professional services agreement between the City and Northeastern Production Systems, Inc. for sound, lighting staging and power production services for special events. Of said amount, \$106,200 shall be funded from the 2014-15 Budget of the Bureau of Communications. The agreement shall extend for one year, with an option for three one year renewals. For the second year, the agreement

shall not exceed \$109,300, which shall be funded from the 2015-16 Budget of the Bureau of Communications. For the third year, the agreement shall not exceed \$112,400, which shall be funded from the 2016-17 Budget of the Bureau of Communications. For the fourth year, the agreement shall not exceed \$116,600 which shall be funded from the 2017-18 Budget of the Bureau of Communications. All funding shall be contingent upon adoption of the necessary budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By President Scott
May 20, 2014

To the Council:

The Committee Of The Whole recommends for adoption the following entitled legislation:

Int. No. 183 - Amending Chapter 63 Of The Municipal Code With Regard To Fair Employment Screening, As Amended

Respectfully submitted,
Carolee A. Conklin
Matt Haag
Adam C. McFadden
Jacklyn Ortiz
Michael A. Patterson
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott

COMMITTEE OF THE WHOLE

Received, filed and published.

President Scott moved to amend Introductory No. 183.

Motion was seconded by Councilmember Spaul.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-155
Re: Ban The Box

Transmitted herewith for Council approval is legislation for "Ban The Box"; an initiative requiring both public and private employers in the City of Rochester to wait until someone is selected for an interview before asking about their criminal records. Due to the nature of the question, people with former felony convictions are severely disadvantaged and this legislation would greatly help to achieve and maintain a person's positive reentry.

Since one of the leading factors in preventing reci-

divism is employment, this measure will help to eliminate discrimination against ex-offenders and help put people to work and allow them to be successful and productive members of our community. This legislation is not intended to discourage employers from doing background checks and any other due diligence to ensure that their employees and customers, clients or people they serve are safe. This legislation is intended to eliminate the discrimination that centers on this "Box" when checked.

I am holding a public forum on May 13th at 6:30 p.m. in Council Chambers to solicit input from our community and the people we serve on this topic.

Respectfully submitted,
Adam C. McFadden
Chair, Public Safety, Youth & Recreation
South District Representative

Ordinance No. 2014-155
(Int. No. 183, As Amended)

Amending Chapter 63 Of The Municipal Code With Regard to Fair Employment Screening

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

Section 1. Chapter 63 of the Municipal Code of the City of Rochester is hereby amended by adding a new Article II thereto to read as follows:

Article II. Fair Employment Screening

§63-12 Fair Employment Screening

The City of Rochester, its vendors, and any employer located within the City of Rochester shall not make any inquiry regarding or pertaining to an applicant's prior criminal conviction on any initial employment application. Consideration of an applicant's prior criminal conviction(s) shall take place only after an employment application is submitted and after any initial employment interview.

§63-13 Definitions

For purposes of this article, the following terms shall have the following meanings:

- A. "Applicant": Any person considered or who requests to be considered for employment by an employer.
- B. "City": The City of Rochester, its departments, administrative units and agencies.
- C. "Criminal Conviction": ~~Any judgment of conviction of a criminal offense in this state or any other jurisdiction, including but not limited to adjudication as a juvenile delinquent or youthful offender. Entry of a plea of guilty, or a verdict of guilty, for a misdemeanor or felony offense in this state or any other jurisdiction.~~

- D. "Employment": Any work for pay, including temporary or seasonal work, contracted work, contingent work, and work through the services of a temporary, job placement, referral, or other employment agency, for any work or position for which the primary place of work is located within the City of Rochester. "Employment" shall not, for the purposes of this article, include employment by any government law enforcement agency or any position classified as a police officer or peace officer pursuant to the Criminal Procedure Law.
- E. "Employer": The City, its vendors, or any entity that employs persons in a any position for which the primary place of work is located within the City of Rochester including a person, partnership, company, business corporation, limited liability company, public corporation, labor organization, not-for-profit corporation, or association, ~~including but not limited to~~ "Employer" shall also include temporary, job placement, referral, or other employment agencies. "Employer" shall not include an employer with fewer than four persons in ~~his or her~~ its employ.
- F. "Interview": Any direct contact by the employer with the applicant whether in person or by telephone, to discuss the employment being sought or the applicants' qualifications.
- G. "Vendor": Any vendor, contractor, or supplier of goods or services to the City of Rochester, including vendors located outside the City of Rochester limits.

§63-14 Fair Employment Screening Standards

- A. It shall be an unlawful discriminatory practice for the City, its vendors, and any employer located within City limits to make any inquiry regarding, or to require any person to disclose or reveal, any criminal conviction during the application process. The "application process" shall be deemed to begin when the applicant inquires about the employment sought and shall end when an employer has conducted an initial employment interview or made a conditional offer of employment.
- B. If an employer does not conduct an interview, that employer must inform the applicant whether a criminal background check will be conducted before employment is to begin.
- C. The City, its vendors, and any employer hiring for licensed trades or professions, including positions such as interns and apprentices for such licensed positions, may make an inquiry of applicants about prior criminal convictions if such inquiry is required by a licensing authority or by New York State or Federal Law.

- D. The City, its vendors, and any employer hiring for positions where certain convictions are a bar to employment in that position under New York State or Federal Law, shall not be prohibited from making inquiries about those convictions during the application process.
- E. The City, its vendors, and any employer shall comply with Article 23-A of the New York State Correction Law and the Fair Credit Reporting Act, 15 USC §1681, et seq. when considering an applicant's prior criminal convictions in determining suitability for employment. In accordance with Article 23-A, nothing in this ordinance shall be construed to limit an employer's authority to withdraw conditional offers of employment for any lawful reason, including the determination that the candidate has a conviction that bears a direct relationship to the duties and responsibilities of the position sought, or that hiring would pose an unreasonable risk to property or to the safety of individuals or the general public.
- F. In compliance with Executive Law § 296 subdivision 16 (Human Rights Law) and the Family Court Act, employers are prohibited from asking at any time for applicants to disclose information about any arrest that resulted in a Youthful Offender Adjudication pursuant to Criminal Procedure Law § 720.35; any arrest that was processed as a Juvenile Delinquency proceeding in Family Court; any arrest that resulted in a sealing pursuant to Criminal Procedure Law (CPL) § 160.50 or CPL § 160.55; any conviction that was sealed pursuant to CPL § 160.58, unless said inquiry is specifically required or permitted by New York State or Federal law.

§63-15 Exceptions

- A. The prohibitions of this article shall not apply if the ~~inquires~~ inquiries prohibited herein are specifically authorized by any other applicable law.
- B. The prohibitions of this article shall not apply to applicants for positions in the City Police Department or the Fire Department, or to any other employer hiring for "police officer" and "peace officer" positions, as defined by Criminal Procedure Law §1.20 or §2.10.

§63-16 Enforcement

- A. Any person aggrieved by a violation of this Article may commence a civil action or proceeding for injunctive relief, damages, or other appropriate relief in law or equity against any person or employer who violates this Article. In any such action or proceeding, ~~the court, may court may~~ allow the party commencing such action or proceeding, if such party prevails, costs and reasonable

attorney's fees as part of the relief granted.

- B. Any action brought for violation of this chapter must be commenced within one year after the alleged violation of this article.
- C. The remedies provided herein shall be separate and distinct from remedies provided in other laws, rules or regulations, and shall not be construed by any court to be a prerequisite to an action or proceeding commenced pursuant to such other laws, rules or regulations. The provisions of this ordinance shall not be construed to diminish the rights of an applicant under any other law.
- D. The Corporation Counsel may, in his or her discretion, bring an action to restrain or prevent any violation of this Article or any continuance of any such violation, in any court of competent jurisdiction and may further seek the imposition of the following penalties or a combination thereof:
 - (1) A penalty of five hundred dollars for the first violation of this Article;
 - (2) A penalty of one thousand dollars for each subsequent violation of this Article.

Section 2. The City shall make information about the provisions of this ordinance available to the public and to vendors and other persons who may be interested in it.

Section 3. The criminal history record checks in connection with employment required by Section 6B-2 of the City Charter shall be conducted in compliance with the provisions of this article.

Section 4. This ordinance shall take effect 180 days after it is adopted.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

The meeting was adjourned at 8:39 p.m.
HAZEL L. WASHINGTON
City Clerk

* * * * *

SPECIAL MEETING
JUNE 10, 2014
12:00 P.M.

Present - President Scott, Councilmember Conklin, Haag, Miller, McFadden, Ortiz, Palumbo, Patterson, Spaul - 9.

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

Pledge of Allegiance to the Flag of the United

States of America.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-26
Re: Home Rule Resolution -
Red Light Cameras

Transmitted herewith for your approval is a home rule resolution relating to legislation that is currently being considered by the New York State Legislature. The legislation, Senate Bill No. 7704 and Assembly Bill No. 9498, would authorize an extension of the City's Red Light Photographic Enforcement Program which was established in April 2009 through a local law as a demonstration program with an expiration date of December 1, 2014 (Res. No. 2009-7).

Red light cameras are installed at certain intersections to help enforce vehicle and traffic law. Intersection locations were selected based upon accident data and video surveys conducted by Redflex, Inc., the company currently managing the program for the City. To date, 32 intersections are monitored by cameras out of a maximum allowed 50 intersections. Under the requested extension of this program, the initial penalty for a traffic control violation would continue to not exceed \$50 and the Parking Violations Bureau would continue to adjudicate violations.

Early analyses by the Police Department indicate that there has been an overall reduction of right angle collisions and collisions involving a driver disregarding traffic control, both of which cause disproportionately high injury and/or fatality levels compared to other types of intersection collisions. Authorizing an extension to the City of Rochester's Red Light Photographic Enforcement Program will further promote safety and decrease motor vehicle accidents.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2014-26
(Int. No. 206)

Resolution for the purpose of a Home Rule Message regarding State legislation relative to owner liability for failure of operator to comply with traffic control indications

Concurring in the request by the Mayor of the City of Rochester to the Senate and the Assembly of the State of New York pursuant to Article IX of the New York State Constitution to enact into law certain legislation in relation to a motor vehicle owner's liability for failure of the vehicle operator to comply with traffic control indications.

BE IT RESOLVED, by the City Council of the

City of Rochester that said Council concurs in the request of Lovely A. Warren, Mayor of the City of Rochester, to the Senate and the Assembly of the State of New York, constituting the New York State Legislature, that said Legislature enact the legislation set forth in the following bill entitled:

AN ACT to amend Chapter 22 of the laws of 2009, amending the vehicle and traffic law and the public officers law relating to owner liability for failure of operator to comply with traffic control indications, in relation to extending such provisions.

Being Senate Bill No. S.7704 and Assembly Bill No. A.9498.

This resolution shall take effect immediately.

Adopted by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden Miller, Ortiz, Palumbo, Patterson - 8.

Nays - Councilmember Spaul - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-27
Re: Grant Applications - 2014-15 New
York State Consolidated Funding
Application

Transmitted herewith for your approval is legislation related to the 2014-15 New York State Consolidated Funding Application (CFA) process. This legislation will endorse applications by Geva Theater Center and ISLA Housing and Development for CFA funding for a project supported by the City and consistent with City policy.

The CFA is the single point of entry for accessing up to \$750 million in State funding from eleven State agencies: Agriculture and Markets; Canal Corporation; Council on the Arts; Department of Labor; Department of State; Empire State Development; Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Parks, Recreation, and Historic Preservation; and, Power Authority. Applications are due on June 16, 2014, one day before the regular June City Council meeting, making it necessary for this to be considered at a special Council meeting.

Ordinance No. 2014-102 and Resolution No. 2014-21 authorized the City's applications and endorsed applications by external organizations to the 2014-15 CFA. Geva's and ISLA's applications were not included as it wasn't clear at the time of submittal that these organizations would be applying for New York Main Street Grant funding, a program which requires a municipal resolution endorsing applications. The City's endorsement will ensure that Geva and ISLA have the opportunity to compete for CFA grant funds for the projects listed below:

Agency	Project	State Funding Program	Total Amt Requested
Geva Theater Center	Geva Theater Historic Armory Renovation	NY Main Street Program Empire State Development Grant Market NY Program EPF Historic Preservation Grant Canalway Grant Program	\$1,375,000
ISLA Housing and Development	Feasibility study on the rehabilitation or adaptive re-use of mixed-use building at 1164 North Clinton Avenue	NY Main Street Technical Assistance	\$20,000

A summary description of each project is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-97

Resolution No. 2014-27
(Int. No. 207)

Resolution supporting Consolidated Funding grant applications

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

Section 1. The Council hereby endorses the applications for funding not to exceed the following through the 2014-15 Consolidated Funding application by the organizations named below for the following projects in the City set forth below, and the Council finds that the applications and projects are consistent with City policies and goals:

<u>Agency</u>	<u>Project</u>	<u>State Funding Program</u>	<u>Amount Requested</u>
Geva Theatre Center	Historic Armory Renovation	NY Main Street Program; Empire State Development; Market NY; EPF Historic Preservation; Canalways	\$1,375,000
Isla Housing and Development Corporation	Feasibility study of rehabilitation of 1164 N. Clinton Ave.	NY Main Street - Technical Assistance	\$20,000

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 12:20 P.M.

Hazel L. Washington
City Clerk

* * * * *

PUBLIC HEARING MEETING
CITY/CITY SCHOOL DISTRICT BUDGET
JUNE 11, 2014
5:30 P.M.

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 9.

Absent - None - 0.

The Council President requested the Council to rise for A Moment of Silence.

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

PUBLIC HEARINGS

Pursuant to law public hearings will now be had on the following matter.

Adoption Of The Budget Estimates For Municipal Purposes For The 2014-15 Fiscal Year, Appropriation Of Sums Set Forth Therein And Approving Commercial Refuse Fees Int. No. 192 1 speaker: Alex White.

Confirming The Assessments, Amounts And Charges To Be Inserted In The Annual Tax Rolls For The Fiscal Year Commencing July 1, 2014 And Expiring June 30, 2015 Int. No. 196 1 speaker: Alex White.

Local Improvement Ordinance - Street Cleaning, Street And Sidewalk Snow Removal, And Hazardous Sidewalk Repair Commencing July 1, 2014 And Expiring June 30, 2015 Int. No. 197 No speakers.

Adoption Of The Budget Estimates For School Purposes For The Fiscal Year Commencing July 1, 2014 And Expiring June 30, 2015, And Appropriation Of Sums Set Forth Therein Int. No. 193 3 speakers: Jeff Kaczowski, Brigit Hurley, Alex White.

The meeting was adjourned at 6:04 p.m.

Hazel L. Washington
City Clerk

* * * * *

REGULAR MEETING
JUNE 17, 2014

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 9

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:

- City Clerk's Office
- *Candice A. Bianchi
- Management & Budget
- *Alan Bredekamp
- Fire Department
- *David J. Bagley
- Michael A. Coriddi, Jr.
- *Grant M. Dunn
- *Roger L. Moynes.
- Library
- *Susan A. Washington
- *Did not attend meeting.*

APPROVAL OF THE MINUTES

By Councilmember Palumbo

RESOLVED, that the minutes of the Regular Meeting of May 20, 2014 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Public Disclosure - CDBG Participation 4143-14

The Council submits Disclosure of Interest Forms from Vice President Miller on Int. No. 166, Councilmember Spaul on Int. No. 187, and Councilmember Ortiz on Int. No. 205.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

None presented.

PUBLIC HEARINGS.

Pursuant to law public hearing will now be had on the following matter:

Changing the zoning classification of 2113 Lake Avenue from R-1 low density residential to O-S open space Int. No. 172 No speakers.

Amending Chapter 120 of the Municipal Code, the Zoning Code, with regard to minor text amendments to the Planned Development District No. 1 Holy Redeemer Int. No. 173 No speakers.

Extending a moratorium on permits, certificates of zoning compliance and variances for exploration and extraction of natural gas within the City Int. No. 180 One speaker: Bonnie Cannan.

Amending the Official Map by renaming Euclid Street as Andrew Langston Way and dedicating parcels as right of way and naming open space as Midtown Commons Int. No. 185 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
June 17, 2014

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 157 - Establishing maximum compensation for a professional services agreement with General Code, LLC for publication of the City Charter and Code

Int. No. 158 - Establishing maximum compensation for a professional services agreement with WXXI Public Broadcasting Council for broadcast of City Council Meetings

Int. No. 183 - Establishing maximum compensation for a professional services agreement for Federal lobbying services, as amended

Int. No. 184 - Approving an appointment to the Board of Ethics

Int. No. 186 - Amending Section 9-143 of the City Charter with regard to foreclosure of tax lien by action in rem

Int. No. 192 - Adoption of the budget estimates for municipal purposes for the 2014-15 fiscal year, appropriation of sums set forth therein and approving commercial refuse fees

Int. No. 193 - Adoption of the budget estimates for school purposes for the fiscal year commencing July 1, 2014 and expiring June 30, 2015, and appropriation of sums set forth therein

Int. No. 194 - Levying taxes for municipal purposes for the fiscal year commencing July 1, 2014 and expiring June 30, 2015

Int. No. 195 - Levying taxes for school purposes for the fiscal year commencing July 1, 2014 and expiring June 30, 2015

Int. No. 196 - Confirming the assessments, amounts and charges to be inserted in the annual

tax rolls for the fiscal year commencing July 1, 2014 and expiring June 30, 2015

Int. No. 197 - Local Improvement Ordinance - street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2014 and expiring June 30, 2015

Int. No. 198 - Amending the Municipal Code with respect to water rates

Int. No. 199 - Amending the Municipal Code with respect to refuse fees

Int. No. 200 - Amending the Municipal Code with respect to parking rates

Int. No. 201 - Amending Section 9-123 of the City Charter with regard to fees in actions for foreclosure of tax liens by the City

Int. No. 202 - Resolution approving the 2014-15 debt limit for general municipal purposes

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller (Did not vote on Int. Nos. 157 and 158)
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-157
Re: Publication of the City Charter and Code

Transmitted herewith for your approval is legislation establishing maximum compensation of \$57,600 for a three-year professional services agreement with General Code, LLC for maintenance and publication of the City Charter and Code in both paper and Internet versions. This reflects a reduction of \$2,690 compared to the most recent three-year agreement; the reduction is due to a lower cost for E-Code, elimination of the charge for maintenance of the 1975 Zoning E-Code, and no anticipation of major changes to the Code. The cost of the proposed agreement will be funded from the 2014-15 and future budgets of the City Council/City Clerk.

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

The agreement has a provision for the publication

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

New to our agreement for services is the provision for monthly updates on the Internet version of the Charter and Code. This is at no additional cost to the City.

Respectfully submitted,
Loretta C. Scott Carolee A. Conklin
President Chair, Finance Committee

Attachment No. AN-98

Ordinance No. 2014-157
(Int. No. 157)

Establishing maximum compensation for a professional services agreement with General Code, LLC for publication of the City Charter and Code

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

Section 1. The sum of \$57,600 is hereby established as the compensation to be paid for a professional services agreement with General Code, LLC to publish the City Charter and Code and to provide for continued maintenance of the Charter and Code in paper and electronic versions. The agreement shall extend through June 30, 2017. Of said amount, \$19,200 shall be funded each year from the 2014-15, 2015-16 and 2016-17 Budgets of the City Council/City Clerk for supplementation services and licensing of E-Code, contingent upon adoption of future budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-158
Re: Agreement with WXXI to Broadcast City Council Meetings

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

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

As part of this contract, WXXI staff will set up the

City's broadcast equipment prior to each Council session, test the audio/video signal being transmitted to WXXI's State Street studio, and provide technical direction, video recording, master control, and closed captioning services. The agreement will provide funding for the broadcast of regular monthly City Council meetings, City Council committee meetings, two full-day budget hearings, web streaming, plus an allocation for two organization meetings and contingency.

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

<u>Service</u>	<u>Item Cost</u>	<u>Total Annual Cost</u>
Council meetings	\$ 600	\$ 7,200
Committee meetings	600	7,200
Budget hearings	1,350	2,700
Web streaming, monthly	100	1,200
Organization meetings and contingency		<u>1,200</u>
Total		\$19,500

Respectfully submitted,
 Loretta C. Scott Carolee A. Conklin
 President Chair, Finance Committee

Attachment No. AN-99

Ordinance No. 2014-158
 (Int. No. 158)

Establishing maximum compensation for a professional services agreement with WXXI Public Broadcasting Council for broadcast of City Council Meetings

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

Section 1. The sum of \$19,500, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and WXXI Public Broadcasting Council for the broadcast of City Council Meetings for a term of three years. Said amounts shall be funded from the 2014-15 and subsequent Budgets of the City Council/City Clerk, contingent upon adoption of said budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2014-159
 Re: Agreement - Federal Lobbying Services

Transmitted herewith for your approval is legislation establishing \$89,000 as maximum compensation for an agreement with Ken Brown Strategic Consulting, Washington, DC, for federal lobbying

services from July 1, 2014 through June 30, 2015. The agreement will be for an initial term of one year with the option of two one-year renewals. The cost of this agreement will be funded from the 2014-15 Budget of the Mayor's Office, contingent upon its approval at the June Council meeting, and from subsequent annual budgets of the Mayor's Office. This amount includes a \$7,250 monthly fee and an annual allowance of \$2,000 for documented incidental expenses and travel.

Over the last two years, Mr. Brown has worked in support of several City initiatives through direct advocacy with the City's congressional delegation and federal agencies (Ord. Nos. 2012-55 and 2012-227). These efforts included:

- Designation of the Greater Rochester Region as one of twelve Investing in Manufacturing Communities Partnership (IMCP) site selections by the White House.
- Support for grant applications resulting in awards for projects in the City including:

<u>Project</u>	<u>Funding Source</u>	<u>Award</u>
Photech Site infrastructure	Economic Development Administration	\$700,000 to City
Brooks Landing Redevelopment Project - cleanup of 937-941 Genesee St.	Environmental Protection Agency (EPA)	\$200,000 to City
Rochester Intermodal Station	Department of Transportation, TIGER grant	\$15 million to NYSDOT

- Ensured language was included in the Senate version of the Water Resources Development Act (WRDA) which will make it easier for the City to obtain long term funding for the dredging of the Rochester Harbor.
- Supported City work with delegation and Coast Guard to facilitate and expedite the transfer of Coast Guard property to the City for the Port redevelopment project.
- Assisted in development of the successful TIGER grant application for the Inner Loop project.
- Worked with the National Brownfields Coalition to develop and support the introduction of legislation that will reauthorize and improve the federal brownfields law.

During 2014-15, Mr. Brown will continue to work with the City on the following:

1. Prepare and coordinate application and advocacy efforts for the Promise Zones initiative;

2. Work on advocacy efforts for the President’s “My Brother’s Keeper” initiative;
3. Continue to monitor and advocate for services related to the IMCP designation;
4. Continue to help the City identify and pursue federal funding for Rochester transportation projects;
5. Continue work with the Economic Development Administration and other federal agencies to obtain federal assistance to minimize the impact of potential ongoing downsizing at Kodak;
6. Continue to assist the City in working with the Coast Guard and Department of Homeland Security to facilitate the transfer of property and obtain other federal assistance for the Port redevelopment project;
7. Continue to assist the City in working with the Army Corps of Engineers and the Congress to secure ongoing funding for the maintenance of Rochester Harbor;
8. Continue to help the City develop and maintain relationships with key federal officials at the Department of Transportation, EPA, Department of Housing and Urban Development, Department of Commerce, Department of Justice, Department of Labor, Army Corps of Engineers, Department of Homeland Security, and other federal agencies;
9. Monitor and advocate for national legislation that will provide opportunities for the City to obtain federal assistance for its community revitalization priorities, including environmental legislation (e.g., brownfields, waterways, etc.), transportation reauthorization legislation, infrastructure legislation, fiscal year 2015 funding for local government priorities, and other matters impacting local governments; and
10. Additional opportunities to advocate for the interests of the City of Rochester.

Ken Brown Strategic Consulting was selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-100

Ordinance No. 2014-159
(Int. No. 183, as amended)

Establishing maximum compensation for a professional services agreement for Federal lobbying services

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

Section 1. The sum of \$89,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and Ken Brown for the provision of Federal lobbying services. Said amount shall be funded from the 2014-15 Budget of the Mayor’s Office, contingent on adoption of that budget. The agreement shall be for a term of one year beginning July 1, 2014 and ending June 30, 2015, with an option of two one-year renewals which shall be funded from the 2015-16 and 2016-17 Budgets of the Mayor’s Office, contingent on adoption of those budgets.

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

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-28
Re: Appointment- Board of Ethics

Transmitted herewith for your approval is legislation confirming the appointment of Timothy R. Weir, Director of the Office of Public Integrity, to the Board of Ethics as the Mayor’s designee. Mr. Weir will replace Police Chief Michael Ciminelli who has served on the Board as the Mayor’s designee since January 2014. This change was suggested by Chief Ciminelli to allow him to focus all of his time on the operations of the Police Department, which is currently undergoing a reorganization process.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-101

Resolution No. 2014-28
(Int. No. 184)

Approving an appointment to the Board of Ethics

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

Section 1. The Council hereby approves the appointment of Timothy R. Weir, Director of the Office of Public Integrity, to the Board of Ethics, replacing Michael Ciminelli as the Mayor’s designee, for a term that shall be coterminous with the term of the Mayor.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 3
Re: Amending the City Charter- Foreclosure
Of Tax Liens In Rem

Transmitted herewith for your approval is a local law amending Section 9-143 of the City Charter with regard to foreclosure of tax liens in rem.

Article 9, Title 4 of the City Charter establishes a process for the City to foreclose its tax lien against properties where taxes have not been paid for a period of more than one year. Under that law, the City initiates a multiple step process to initiate a foreclosure action in State Supreme Court, identifying properties with unpaid taxes for one year or more and giving notice of the foreclosure action to owners and others who have liens in the title record. These parties are given notice of the foreclosure process and an opportunity to pay the taxes or contest the sale in court. Many owners do pay their taxes prior to the conclusion of the foreclosure action.

However, every year there are some properties for which the taxes remain unpaid and the City obtains a court order authorizing the sale of these properties by public auction. For the majority of the properties sold at these auctions, the sale price is no more than the amount owed to the City for taxes. But in some cases, the auction sale price is enough to pay the unpaid taxes and some additional amount of money remains. These additional funds are known as surplus funds. Currently, Section 9-143 of the Charter requires the Treasurer to hold these funds in an account in trust for any person who may be entitled to a claim on them. However, in some cases no one files a claim and the surplus funds remain in the account. No procedure currently exists to deal with those funds.

This local law would amend Section 9-143 of the Charter to provide for a procedure to give notice to persons who may have a right to claim these surplus funds, and requiring them to file proof of their claim within a reasonable time period of 60 days. Any funds that are not claimed within that period would become property of the City. This would provide a reasonable method to resolve the status of these funds while respecting the rights of any potential claimants.

Respectfully submitted,
Lovely A. Warren
Mayor

Local Law No. 3
(Int. No. 186)

Amending Section 9-143 of the City Charter with regard to foreclosure of tax lien by action in rem

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 amending Section 9-143 to read as follows:

§ 9-143. Sale of property.

A. Any sale directed by the court under § 9-139C shall be at public auction by the City Treasurer. Public notice thereof shall be given once a week for four successive weeks in a newspaper published in the City of Rochester. The City Treasurer shall receive no fee or compensation for such service. The description in such notice of the parcel offered for sale shall be that contained in the foreclosure list, with such other description, if any, as the court may direct.

B. Any person, including the City, may bid on parcels offered for sale at such auction. Each parcel will be sold to the highest responsible bidder. Subject to the availability of funds for such purchases, upon such sale the Corporation Counsel may bid an amount in excess of the tax lien held by the City and purchase parcels in the name of the City. The proceeds of such sale shall be applied as follows: If the amount of the proceeds is equal to or less than the amount of the tax lien held by the City of Rochester, plus accrued interest and late payment charges, the full amount of the proceeds shall be paid to the City of Rochester. If the amount of the proceeds exceeds the amount of the tax lien held by the City of Rochester, plus accrued interest and late payment charges, an amount equal to the tax lien plus accrued interest and late payment charges shall be paid to the City of Rochester, and the surplus shall be held ~~in trust by the City Treasurer for the benefit of any person or persons who may be entitled by law to all or any part of such surplus moneys deposited by the City Treasurer in a bank account. Within one hundred and twenty days after the sale, the City Treasurer shall give written notice by mail to any person who had a duly recorded ownership interest, mortgage or lien on the property prior to the sale, that the property has been sold and that a possible surplus may exist. Any such person shall be required, within sixty days after the date of said notice, to file a proof of claim with the City Department of Law of his or her right to all or part of the surplus funds from that property. Any surplus funds not claimed by filing a proof of claim within said sixty day period shall become the property of the City and shall be committed for the purpose of tax relief and all claims shall be forever barred.~~

C. ~~With regard to surplus funds held by the City Treasurer as a result of sales that occurred prior to July 1, 2014, the City Treas-~~

sure shall give notice to persons who filed a notice of interest or appearance in the foreclosure action that they must file a proof of claim with the City Department of Law of any claim to said surplus funds within sixty days after the date of said notice. Any surplus funds not claimed by filing a proof of claim within said sixty day period shall become the property of the City and shall be committed for the purpose of tax relief and all claims shall be forever barred.

ED. For any parcel for which a sale has been directed, the court shall make a final order authorizing and directing the Corporation Counsel to prepare, execute and deliver a deed conveying to the purchaser at the auction title to the parcel. Upon the execution of the deed, the grantee shall own the parcel in fee simple absolute free and clear of all liens and encumbrances existing at the time of the sale, and all other persons who may have had any interest in or upon the parcel shall be barred and forever foreclosed of all such interest.

Section 2. This Local Law shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2014-160,
Ordinance No. 2014-161,
Ordinance No. 2014-162,
Ordinance No. 2014-163,
Ordinance No. 2014-164,
Local Improvement Ordinance No. 1692,
Ordinance No. 2014-165
Ordinance No. 2014-166
Ordinance No. 2014-167 and
Local Law No. 4

Re: 2014-15 Budget

Transmitted herewith for your approval is legislation relating to the 2014-15 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 Special Services District (previously Downtown Guides)
 - f. Downtown Enhancement District
 - g. High Falls Improvement District
 - h. South Avenue Alexander Street Open Space
 - i. St. Paul Street Streetscape
 - j. Mt. Hope Streetscape
 - k. Upper East Alexander Entertainment-Refuse
 - l. Arnold Park Monument
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 2014-15 proposed budget of the City submitted to City Council on May 16, 2014 are summarized below:

1. Total appropriations of \$1,288,209,662 allocated for the City and the School District

	<u>Proposed 2014-15</u>	<u>Amended 2013-14</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 499,950,200	\$ 482,451,000	\$17,499,200	3.6
School	788,259,462	771,666,783	16,592,679	2.2
Total	\$1,288,209,662	\$1,254,117,783	\$34,091,879	2.7

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

	<u>Proposed 2014-15</u>	<u>Amended 2013-14</u>	<u>\$ Difference</u>	<u>% Difference</u>
City	\$ 449,743,270	\$ 436,804,070	\$12,939,200	3.0
School	675,114,462	658,521,783	16,592,679	2.5
Total	\$1,124,857,732	\$1,095,325,853	\$29,531,879	2.7

2. Total tax levies of \$171,949,400 for the City and City School District

	<u>Proposed 2014-15</u>	<u>Amended 2013-14</u>	<u>\$ Difference</u>	<u>% Difference</u>
Tax Revenue	\$163,351,930	\$158,791,930	\$4,560,000	2.87
Tax Reserve	8,597,470	8,357,470	240,000	2.87
Tax Levy	\$171,949,400	\$167,149,400	\$4,800,000	2.87

3. Total appropriations for the Local Works fund of \$21,476,700 and total assessments of \$19,517,500

	<u>Proposed 2014-15</u>	<u>Amended 2013-14</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Maintenance	\$ 5,362,462	\$ 5,287,218	\$ 75,244	1.4
Sidewalk Repair	550,670	532,086	18,584	3.5
Roadway Plowing	10,198,095	9,937,432	260,663	2.6
Sidewalk Plowing	3,406,273	3,335,964	70,309	2.1
Total	\$19,517,500	\$19,092,700	\$ 424,800	2.2

4. Program Assessments

The budgets for security and snow removal at the Public Market were approved on March 25, 2014. On April 23, 2014, the following budgets were approved: East Avenue and Alexander Street Entertainment District; High Falls Business Improvement District; South Avenue/Alexander Street Open Space District; street malls; street lighting and streetscapes; and the Downtown Enhancement District. The budgets for Downtown Special Services and parking lots were approved on May 20, 2014. The assessments required are as follows

	<u>Proposed 2014-15</u>	<u>Amended 2013-14</u>	<u>\$ Difference</u>	<u>% Difference</u>
Street Malls	\$ 30,353	\$29,133	\$ 1,220	4.2
Parking Lots	43,055	86,125	-43,070	-50.0
Public Market	45,635	40,897	4,738	11.6
Lighting and Streetscapes	41,335	43,008	-1,672	-3.9
Downtown Special Services	464,252	471,547	-7,295	-1.5
Downtown Enhancement	595,800	\$568,000	27,800	4.9
High Falls	25,000	25,000	0	0.0
South Alexander Open Space	6,500	2,641	3,859	146.1
St. Paul Street Streetscape	20,649	20,649	0	0.0
Mt. Hope Streetscape	30,000	30,000	0	0.0
East/Alexander Entertainment	20,099	19,677	422	2.1
ARTWalk District	0	280,366	-280,366	-100.0

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

	<u>Proposed 2014-15</u>	<u>Amended 2013-14</u>	<u>\$ Difference</u>	<u>% Difference</u>
Delinquent Refuse	\$ 557,104	\$ 560,110	\$ -3,006	-0.5
Delinquent Water	5,724,767	5,895,897	-171,130	-2.9
Code Enforcement	63,508	85,505	-21,997	-25.7
Supplemental and Omitted Taxes	184,115	113,837	70,278	61.7
Local Improvements	1,627	0	1,627	100.0
Demolitions	213,881	0	213,881	100.0
Encroachments	3,725	3,850	-125	-3.2
Rehabilitation	174,516	285,651	-111,135	-38.9
Code Violations	2,573,485	1,579,639	993,846	62.9
Arnold Park Monuments	5,118	5,118	0	0.0
Case Management Fees	260,420	86,880	173,540	199.7

6. Fee increases & Code Changes

6A. A local works increase is proposed to balance the Local Works Fund. The proposed increase is expected to result in \$394,200 additional revenue.

- 6B. A water rate increase is proposed to balance the Water Fund. The proposed increase is expected to result in \$595,000 additional revenue based upon a slight reduction in consumption. The addition of a separate base rate for a 3/4" water meter is also proposed. Currently the 3/4" and 5/8" meters are billed at the same rate. This new base rate will enable the establishment of equitable charges based on maximum meter flow capacities.
- 6C. Residential and commercial refuse rate increases are proposed to balance the Refuse Fund. The proposed increase is expected to result in \$245,600 additional residential revenue and \$100,000 additional commercial revenue.
- 6D. An increase in parking garage rates is necessary to balance the parking fund resulting in approximately \$67,000 additional revenue.
- 6E. Amend the City Charter to increase the foreclosure fee to partially offset the City's costs for this function. This change will result in incremental revenues of approximately \$60,000.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AN-102

Ordinance No. 2014-160
 (Int. No. 192)

Adoption of the budget estimates for municipal purposes for the 2014-15 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, 2014 to June 30, 2015, providing for the expenditure of \$499,950,200, 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 2014-15 are hereby authorized to be expended and the sum of \$499,950,200 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 Administration	\$ 1,799,600
Neighborhood and Business Development	7,832,700
Environmental Services	13,828,600
Finance	82,944,200
	12,067,500

Information Technology	6,461,100
Law	1,872,100
Library	11,290,100
Recreation and Youth Services	11,264,400
Emergency Communications	13,775,500
Police	85,074,600
Fire	45,193,000
Undistributed Expenses	132,281,700
Contingency	10,182,100
Cash Capital	28,002,000
Debt Service	36,081,000
Sub-total	\$499,950,200
Tax Reserve	2,642,470
Total	\$502,592,670

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 2014-15 is hereby fixed and determined at \$449,743,270 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2014-15 providing for the raising of taxation on real estate for municipal purposes of the sum of \$52,849,400 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 2014-15.

Section 6. This ordinance shall take effect on July 1, 2014.

Passed unanimously.

Ordinance No. 2014-161
 (Int. No. 193)

Adoption of the budget estimates for school purposes for the fiscal year commencing July 1, 2014 and expiring June 30, 2015, 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, 2014 to June 30, 2015, providing for the expenditure of \$788,259,462, 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 2014-15 are hereby authorized to be expended and the sum of \$788,259,462 is hereby appropriated to the Board of Education for the following purposes:

Operations	\$727,086,203
Cash Capital	13,387,490
Debt Service	47,785,769
Subtotal	788,259,462

Tax Reserve	5,955,000
Total	\$794,214,462

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes, for school purposes for the fiscal year 2014-15 is hereby fixed and determined at \$675,114,462 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2014-15 providing for the raising of taxation on real estate for school purposes of the sum of \$119,100,000 is hereby adopted.

Section 5. This ordinance shall take effect on July 1, 2014.

Passed unanimously.

Ordinance No. 2014-162
(Int. No. 194)

Levying taxes for municipal purposes for the fiscal year commencing July 1, 2014 and expiring June 30, 2015

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

Section 1. The sum of \$52,849,400, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2014 and expiring June 30, 2015 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, 2014 and expiring June 30, 2015.

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, 2014 and expiring June 30, 2015.

Section 3. This ordinance shall take effect on July 1, 2014.

Passed unanimously.

Ordinance No. 2014-163
(Int. No. 195)

Levying taxes for school purposes for the fiscal year commencing July 1, 2014 and expiring June 30, 2015

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, 2014 and expiring June 30, 2015 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, 2014 and expiring June 30, 2015.

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, 2014 and expiring June 30, 2015.

Section 3. This ordinance shall take effect on July 1, 2014.

Passed unanimously.

Ordinance No. 2014-164
(Int. No. 196)

Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2014 and expiring June 30, 2015

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, 2014 and expiring June 30, 2015 are hereby in all respects confirmed:

Street and Lot Maintenance	\$ 5,362,461.73
Roadway Snow Removal	10,198,095.29
Sidewalk Snow Removal	3,406,273.32
Hazardous Sidewalk Repair	550,669.66
Delinquent Refuse	557,103.99
Delinquent Water Charges	5,724,767.02
Supplemental Taxes	171,959.82
Omitted Taxes	12,154.98
Street Malls	30,353.00
Arnold Park Monuments	5,118.27
Parking Lots	43,055.00
Code Enforcements	63,507.73
Code Violations	2,573,485.00
Downtown Enhancement	595,800.00
Public Market Plowing	5,873.49
Public Market Security	39,761.18
Encroachment Fees	3,725.00
Rehabilitation Charges	174,516.21
Downtown Special Services	464,252.00
Lyell Avenue Street Lights - District I	2,032.32
Lyell Avenue Street Lights - District II	2,133.61
Wilson Blvd. Street Lights	512.28
Blossom Road Lights	609.42
Monroe Avenue Lights I	7,115.55
Monroe Avenue Lights and Sidewalk II	9,537.99
Norton Street Lights	1,290.96
Norton Street Streetscape	2,815.00
Cascade Lights	1,528.75
Cascade Streetscape	6,000.00
Lake Avenue Lights	3,769.79
High Falls Business Improvement District	25,000.00
St. Paul Street Streetscape	20,649.38
St. Paul Street Lighting	484.62

Rundel Park Lighting	3,168.68
Upper East Alexander Refuse	20,099.00
East Main Street Lights	336.45
Case Management Fees	260,420.00
South Alexander Open Space District	6,500.00
Mt. Hope Streetscape	30,000.00
Demolition	213,880.96
Local Improvements	1,627.26

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Local Improvement Ordinance No. 1692
(Int. No. 197)

Local Improvement Ordinance - street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2014 and expiring June 30, 2015

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, 2014 to June 30, 2015; (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 benefited 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, 2014 to June 30, 2015:

- 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

2014-15 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 2014-15 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 benefited 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, 2014 shall be \$19,517,500 consisting of \$5,362,462 for street and lot maintenance, \$550,670 for sidewalk repair, \$10,198,095 for roadway snow removal and \$3,406,273 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, 2014 and June 30, 2015, 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, 2014 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, 2014.

Passed unanimously.

Ordinance No. 2014-165
(Int. No. 198)

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.

Gallons Consumed Per Month	Charge per 1,000 Gallons
0 to 300,000	\$3.38
300,000 to 1,000,000	\$3.04
1,000,000 to 13,000,000	\$2.37
Over 13,000,000	\$1.35

(2) Base Charge.

Size of Meter (inches)	Charge Per Month
5/8"	\$7.02
3/4"	\$10.53
1"	\$37.62
1 1/2"	\$55.72
2"	\$74.53
3"	\$186.25
4"	\$372.15
6"	\$557.90
8"	\$743.65
10"	\$929.55

C. Fire-service charges.

(1) Domestic fire-service charge.

Size of First Check Valve (inches)	Charge per Quarter
Up to 2"	\$39.00
4"	\$78.00
6"	\$153.00
8"	\$305.00
10"	\$450.00
12"	\$648.00

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

Size of First Check Valve (inches)	Charge per Quarter
Up to 2"	\$107.00
4"	\$215.00
6"	\$287.00
8"	\$572.00
10"	\$845.00

(3) Holly high-pressure consumption charge: \$10.34 per 1,000 gallons.

Section 2. This ordinance shall take effect on July 1, 2014.

Passed unanimously.

Ordinance No. 2014-166
(Int. No. 199)

Amending the Municipal Code with respect to refuse fees

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

Section 1. Section 20-24 of the Municipal Code, Residential and commercial user refuse fees, as amended is hereby further amended by amending subsection A(1) thereof to read in its entirety as follows:

(1) Fees:

Number of Dwelling Units	Annual Fee
1	\$373.00
2	749.00
3	830.00

Section 2. This ordinance shall take effect on July 1, 2014.

Passed unanimously.

Ordinance No. 2014-167
(Int. No. 200)

Amending the Municipal Code with respect to parking rates

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

Section 1. Section 111-119 of the Municipal Code, Fees for use of space in parking garages and hours of operation, as amended, is hereby further amended by amending subsections A(6)(a)-(h) to read in their entirety as follows:

- (a) Court Street Garage: \$87 for parking in the general area, \$53 for parking in the rooftop area, \$103 for parking in the premium area, and \$134 for parking in the reserved area.
- (b) Genesee Crossroads Garage: \$87
- (c) High Falls Garage \$70 for parking in the general area and \$113 for parking in the reserved area.
- (d) South Avenue Garage and Midtown Garage: \$87
- (e) Sister Cities Garage: \$87 for parking in the general area and \$103 for parking in the premium area.
- (f) Mortimer Street Garage: \$53 for parking in the garage and in the surface lot.
- (g) Washington Square Garage: \$87 for parking in the general area of the garage, \$103 for parking in the reserved area of the garage, and \$25 for parking in the Wadsworth Square Lot.

Section 2. This ordinance shall take effect on July 1, 2014.

Passed unanimously.

Local Law No. 4
(Int. No. 201)

Amending Section 9-123 of the City Charter with regard to fees in actions for foreclosure of tax liens by the City.

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 amending Section 9-123 to read as follows:

§ 9-123. Establishing and filing foreclosure list.

A. The Corporation Counsel shall file in the office of the Monroe County Clerk a list of all parcels of the property with tax liens he or she intends to foreclose under this Title, to be known as the "foreclosure list." The list shall contain as to each parcel the following:

- (1) The tax account number as shown in the records of the City Treasurer, and the street address if possible.
- (2) The name of the last known owner, as the name appears on the latest assessment roll of the City.
- (3) The amount of each tax lien to be foreclosed. The foreclosable tax lien shall include an additional fee of \$455 175 per parcel, to defray some of the costs of the foreclosure action.

The foreclosure list shall be verified as to accuracy in an affidavit of the City.

Section 2. This local law shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-29
Re: 2014-15 Debt Limit

Transmitted herewith for your approval is legislation establishing the Debt Limit and Debt Rollover and Debt Extension amounts for the 2014-15 Budget.

2014-15 Debt Limit

The 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 2014-15 is \$16,921,000.

Attached is the 2014-15 Debt Authorization Plan, which calls for borrowing of \$16,921,000 in tax supported funds. The Plan also includes an additional \$9,648,000 supported by the City's Enterprise Funds (Local Works, Water, and Parking).

Debt Rollover 2013-14 and 2012-13

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 which 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.

2013-14: The Debt Limit for this year was \$16,113,000. Of that amount \$5,636,000 has been authorized, leaving a balance of \$10,477,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan for 2013-14 itemizes projects remaining for that year.

2012-13: The Debt Limit for this year was \$16,829,000. Of that amount \$10,595,000 has been authorized, leaving a balance of \$6,234,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan for 2012-13 itemizes projects remaining for that year and the details of changes resulting from the Capital Project Acceleration authorized by Council in December, 2012.

Time Limit Extensions for 2011-12, 2010-11, 2009-10, 2008-09 and 2007-08

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:

2011-12 Project

<u>Purpose</u>	<u>Amount</u>
T-3 Milling & Resurfacing street rehabilitation	\$2,118,000
T-4 Residential Street street rehabilitation	1,843,000
T-3 Pavement Program rehabilitation	539,000
Total 2011-12 Extension	\$4,500,000

2010-11 Project

<u>Purpose</u>	<u>Amount</u>
F-1 Rundel Library Renovations renovation	\$3,680,000
G-9 Midtown Redevelopment III street rehabilitation	213,000
T-3 Milling & Resurfacing street rehabilitation	1,049,000

T-4 Residential Street street rehabilitation	574,000
T-3 Pavement Program rehabilitation	10,000
F-2 Investigation and Remediation contaminated sites w/in city	540,000
G-3 Acquisition development	133,000
Total 2010-11 Extension	\$6,199,000

<u>2009-10 Project</u>	
<u>Purpose</u>	<u>Amount</u>
T-2 Mt. Hope Avenue Phase II street rehabilitation	\$80,000
T-4 Residential Street rehabilitation	12,000
F-2 Investigation & Remediation contaminated sites w/in city	550,000
Total 2009-10 Extension	\$642,000

<u>2008-09 Project</u>	
<u>Purpose</u>	<u>Amount</u>
F-2 Investigation and Remediation contaminated sites w/in city	\$86,000
G-8 Capron Street/South Avenue downtown development	237,000
T-2 Broad Street/East/Chestnut street rehabilitation	54,000
T-4 Residential Rehabilitation street rehabilitation	176,000
Total 2008-09 Extension	\$553,000

<u>2007-08 Project</u>	
<u>Amount</u>	<u>Purpose</u>
F-2 Hazardous Waste Remediation contaminated sites w/in city	\$ 280,000
G-8Historic Aqueduct Redevelopment Broad St. aqueduct renovation	324,000
F-2 Investigation and Remediation contaminated sites w/in city	545,000
Total 2007-08 Extension	\$1,149,000

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,
Lovely A. Warren
Mayor

Attachment No. AN-103

Resolution No. 2014-29
(Int. No. 202)

Resolution approving the 2014-15 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.

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 2014-15 to \$16,921,000 for general municipal purposes.

BE IT FURTHER RESOLVED, unused authorizations from the debt limits for fiscal years 2012-13 and 2013-14 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. By this resolution, the Council specifically approves inclusion for this fiscal year of unused authorizations from the debt limit for fiscal year 2011-12 relating to milling and resurfacing, street rehabilitation and the pavement program; for fiscal year 2010-11 relating to Rundel Library renovations, Midtown Redevelopment III, milling and resurfacing, street rehabilitation, pavement program, hazardous waste investigation and remediation at contaminated City sites, and land acquisition; for fiscal year 2009-10 relating to hazardous waste investigation and remediation at contaminated City sites, and street rehabilitation including but not limited to Mount Hope Avenue; for fiscal year 2008-09 relating to street rehabilitation for Broad Street East-Chestnut Street, residential street rehabilitation, hazardous waste investigation and remediation at contaminated City sites, and downtown development near Capron Street-South Avenue, and for fiscal year 2007-08 relating to hazardous waste investigation and remediation at contaminated City sites, and Historic Aqueduct Redevelopment.

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 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.

Adopted unanimously.

By Councilmember Palumbo
June 17, 2014

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 159 - Authorizing the sale of real estate

Int. No. 160 - Approving appointments to the Examining Board of Stationary Engineers and Refrigeration Operators

Int. No. 161 - Approving an appointment to the Examining Board of Plumbers

Int. No. 162 - Approving reappointments to the City Planning Commission

Int. No. 163 - Approving a reappointment to the Rochester Preservation Board

Int. No. 164 - Approving a reappointment to the Zoning Board of Appeals

Int. No. 165 - Approving reappointments to the Elevator Examining Board

Int. No. 166 - Amending Ordinance No. 2014-62 with regard to an agreement with the Rochester Land Bank Corporation

Int. No. 167 - Authorizing the sale of property and an agreement for the Neighborhood Builders - 4 Straub Street Infill Project

Int. No. 168 - Authorizing the sale of real estate and a loan agreement for the Stadium Estates Affordable Housing Project

Int. No. 169 - Approving a property tax exemption and authorizing an in lieu of tax agreement for the Stadium Estates Affordable Housing Project

Int. No. 170 - Approving business programs

Int. No. 171 - Authorizing an agreement for economic development services

Int. No. 187 - Authorizing an agreement for the Emergency Solutions Grant

Int. No. 189 - Authorizing an application and agreement for the Lead Hazard Control Program

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 172 - Changing the zoning classification of 2113 Lake Avenue from R-1 low density residential to O-S open space

Int. No. 173 - Amending Chapter 120 of the Municipal Code, the Zoning Code, with regard to minor text amendments to the Planned Development District No. 1 Holy Redeemer

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller (*Abstained on Int. No. 166*)
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-168
Re: Sale of Real Estate

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

The first property was sold to the respective highest bidder at an on-site real estate auction. The purchaser will rehabilitate the structure within twelve months of City Council approval.

The next four parcels are vacant lots sold by negotiated sale. The first one is being sold to M & M Housing Development Fund Corporation for use as a parking lot to support the redevelopment of the Michelson/Mills affordable housing project. The remaining three lots are being sold to their adjacent owners who will combine each of the respective lots with their existing property.

The next five properties are unbuildable vacant lots, all being sold for \$1.00 (as per City policy) to their adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these ten properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$3,608.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-104

Ordinance No. 2014-168
(Int. No. 159)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the sale of the following parcel of improved property by regular auction:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Use</u>	<u>Price</u>	<u>Purchaser</u>
213-215 Ravine Av	105.34-3-30	50x141	2 Family	\$6,500	Lisa Santos

Section 2. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
374 Conkey Av	091.77-2-32	75x131	9,693	\$2,500	M&M Housing Development Fund Corp.*
SH of 200 Lyceum St	SH of 092.78-1-28	25x118	2,966	\$ 225	Deanne Finewood
NH of 200 Lyceum St	NH of 092.78-1-28	25x118	2,966	\$ 225	Carmen D. Vasquez
238 Melville St	107.54-2-63	40x100	4,000	\$ 400	Burton & Paola Betchart

*Board of Directors: William Clark, President/CEO; Patrick Malgieri, Chairperson; Carolyn Vitale, Vice President/Secretary; Jonathan Glaza, Treasurer

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
154 Cady St	120.59-1-38	33x114	3,856	Paula R. Slade
190 Cottage St	135.28-1-27	33x80	2,640	David Mankowski
14 Ontario St	106.65-1.2.1	55x87	4,128	Iva Johnson
S Pt. 116 Virginia Av	S Pt. 135.41-1-24	12x12	144	David & Jody Pierce
N Pt. 897 Woodbine Av	N Pt. 135.41-1-35	12x28	336	David & Jody Pierce

Section 4. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-30 and
Resolution No. 2014-31
Re: Appointments - Examining Board
Of Stationary Engineers and
Refrigeration Operators, and
Examining Board of Plumbers

Transmitted herewith for your approval is legislation confirming the appointments of William P. Perez and Guy Pientrantoni to the Examining Board of Stationary Engineers and Refrigeration Operators, and Marvin Parker to the Examining Board of Plumbers.

Mr. Perez is currently employed with the Rochester City School District, and Mr. Pientrantoni is currently employed by Brooks Range Contract Services. Both hold the required licenses and certifications for Board membership. Mr. Perez's appointment will be effective on the date of approval and shall extend through December 31, 2017. Mr. Pientrantoni's appointment shall be effective on the date of approval and extend through December 31, 2016.

Mr. Parker is currently a Plumbing Inspector in the Department of Neighborhood and Business Development and has held the position since 2001. He has maintained his City of Rochester Master Plumbing License from 1993 to present and has over 40 years of plumbing experience.

Mr. Parker's appointment shall be effective on the date of approval and extend though May 31, 2017.

The candidates' resumes are available for review in the City Clerk's Office.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AN-105

Resolution No. 2014-30
 (Int. No. 160)

Approving appointments to the Examining Board of Stationary Engineers and Refrigeration Operators

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

Section 1. The Council hereby approves the appointment of William P. Perez to the Examining Board of Stationary Engineers and Refrigeration Operators for a term which shall expire December 31, 2017.

Section 2. The Council hereby approves the appointment of Guy Pientrantoni to the Examining Board of Stationary Engineers and Refrigeration Operators for a term which shall expire December 31, 2016.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

Resolution No. 2014-31
 (Int. No. 161)

Approving an appointment to the Examining Board of Plumbers

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

Section 1. The Council hereby approves the appointment of Marvin Parker to the Examining Board of Plumbers for a term which shall expire May 31, 2017.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Resolution No. 2014-32,
 Resolution No. 2014-33,
 Resolution No. 2014-34 and
 Resolution No. 2014-35
 Re: Reappointments - City Planning
 Commission, Rochester Preservation
 Board, Zoning Board of Appeals,
 And Elevator Examining Board

Transmitted herewith for your approval is legislation confirming reappointments to the City Planning Commission, Rochester Preservation Board, Zoning Board of Appeals and Elevator Examining Board as follows:

<u>City Planning Commission</u>	<u>ZIP Code</u>	<u>Member Since</u>	<u>New Term to Expire</u>	<u>Meetings Attended/ Total Meetings</u>
Helen Hogan	14620	Jun 2004	May 2016	22/24
Steven Rebholz (Vice Chair)	14609	Oct 2011	April 2016	22/24
<u>Rochester Preservation Board</u>				
Bruce McLear	14607	May 2010	May 2016	21/24
<u>Zoning Board of Appeals</u>				
Joseph O'Donnell (Chair)	14621	Mar 2008	Mar 2016	23/24
<u>Elevator Examining Board</u>				
Dean LaDelfa	Hilton 14468	Jan 1997	Feb 2017	11/12
David Cooper	Pittsford 14534	Dec 1992	Feb 2017	9/12

Attached is a membership summary for each board. Resumes for all candidates are available in the City Clerk's office.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-106

Resolution No. 2014-32
(Int. No. 162)

Approving reappointments to the City Planning Commission

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

Section 1. The Council hereby approves the reappointment of Helen Hogan to the City Planning Commission for a term which shall expire May 31, 2016.

Section 2. The Council hereby approves the reappointment of Steven Rebolz to the City Planning Commission for a term which shall expire April 30, 2016.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

Resolution No. 2014-33
(Int. No. 163)

Approving a reappointment to the Rochester Preservation Board

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

Section 1. The Council hereby approves the appointment of Bruce McLear to the Rochester Preservation Board for a term which shall expire May 31, 2016.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Resolution No. 2014-34
(Int. No. 164)

Approving a reappointment to the Zoning Board of Appeals

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

Section 1. The Council hereby approves the appointment of Joseph O'Donnell to the Zoning Board of Appeals for a term which shall expire March 31, 2016.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Resolution No. 2014-35
(Int. No. 165)

Approving reappointments to the Elevator Examining Board

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

Section 1. The Council hereby approves the reappointment of Dean LaDelfa to the Elevator Examining Board for a term which shall expire February 28, 2017.

Section 2. The Council hereby approves the reappointment of David Cooper to the Elevator Examining Board for a term which shall expire February 28, 2017.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-169
Re: Amending Ordinance No. 2014-62 -
Rochester Land Bank Corporation
Agreement

Transmitted herewith for your approval is legislation amending Ordinance No. 2014-62 related to the acquisition of tax-foreclosed properties by the Rochester Land Bank Corporation (Land Bank). This legislation will:

Reduce maximum compensation by \$1,096 for a total of \$17,404 for an agreement with the Land Bank to purchase certain tax-foreclosed properties through use of the trump bid. The agreement will be financed from the following revised Cash Capital allocations:

<u>Source</u>	<u>Original</u>	<u>Revised</u>
2013-14	\$ 3,500	\$ 8,586
Prior Years' - Focused Investment Strategy	2,500	2,500
Prior Years' - JOSANA	<u>12,500</u>	<u>6,318</u>
	\$18,500	\$17,404

Ordinance No. 2014-62 authorized agreements with the Land Bank for use of a credit bid and trump bid to facilitate its work in acquiring properties at the tax foreclosure auction. As part of the agreements, four properties were identified to be acquired by the Land Bank through the trump bid to be conveyed to the City for demolition. Two of these properties were redeemed prior to the tax foreclosure sale, removing them from the auction, while two properties were acquired. Additionally, two other properties (172 Driving Park Avenue and 121 Northview Terrace) acquired by the Land Bank for the HOME Rochester program were later determined to be unsuitable for the program due to structural damage. The Land Bank proposes to

convey these two properties to the City for demolition utilizing funding originally intended for the properties that were redeemed before the auction. These properties might otherwise remain vacant and continue to have a detrimental effect on their surroundings. The reduced compensation is reflective of lower acquisition costs for the substituted properties (172 Driving Park Avenue and 121 Northview Terrace) as compared to the ones that were redeemed. The table below identifies the six properties described herein, and their status:

Address	Project/Purpose	Status
59 Hortense St	Bulls Head/Demolition	Purchased as intended
423-425 Jay St	JOSANA/Demolition	Purchased as intended
503 Jay St	JOSANA/Demolition	Redeemed prior to auction
138 Lewis St	Focused Investment Strategy/Demolition	Redeemed prior to auction
172 Driving Pk Av	Focused Investment Strategy/Home Rochester	Purchased but unsuitable
121 Northview Ter	Home Rochester/Homeownership	Purchased but unsuitable

All four properties that were purchased by the Land Bank will be conveyed to the City of Rochester and demolished through the City's regular demolition program.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2014-169
 (Int. No. 166)

Amending Ordinance No. 2014-62 with regard to an agreement with the Rochester Land Bank Corporation

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

Section 1. Section 3 of Ordinance No. 2014-62 is hereby amended to read as follows:

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with the Rochester Land Bank Corporation for an amount not to exceed ~~\$18,500~~ 17,404 for services in connection with the acquisition, assessment, and management of properties to be acquired by the Rochester Land Bank Corporation and transferred to the City for demolition in connection with the planned future development projects described below. This agreement shall have a term of one year. The cost of this agreement shall be funded from the following sources: ~~\$3,500~~ 8,586 from the Department of Neighborhood and Business Development allocation for acquisition from 2013-14 Cash Capital, \$2,500 from the Focused Investment Strategy allocation from prior years Cash Capital and ~~\$12,500~~ 6,318 from the JOSANA allocation from prior year Cash Capital, provided that the Director of the Office of Management and Budget may alter these sources of funding in order to provide for an appropriate share of the cost to be paid from the Water Fund, the Refuse Fund or Local Works Fund.

Address	SBL #	Project/Purpose
59 Hortense St	120.42-1-74	Bulls Head/Demolition
423-425 Jay St	105.83-3-4	JOSANA/Demolition
503 Jay St	105.83-1-37	JOSANA/Demolition
138 Lewis St	106.66-1-35	Focused Investment Strategy/Demolition
<u>172 Driving Park Avenue</u>		<u>Focused Investment Strategy/Home Rochester</u>
<u>121 Northview Terrace</u>		<u>Home Rochester/Home Ownership</u>

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Miller abstained because of a professional relationship.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2014-170
 Re: Sale of Property and Agreement -
 Greater Rochester Housing

Partnership, Neighborhood Builders
In-fill Project

utilities, taxes, financing, realtor,
and administrative expenses.

Transmitted herewith for your approval is legislation relating to a homeownership project being undertaken by the Greater Rochester Housing Partnership (GRHP) at 4 Straub Street in the Dewey Driving Park Focused Investment Strategy (FIS) area. This legislation will:

- 1) Authorize the sale of 4 Straub Street to GRHP for \$10,000; and
- 2) Establish \$232,360 as maximum compensation for an agreement with GRHP for the Neighborhood Builders in-fill housing project. The cost of the agreement will be funded from 2012-13 Cash Capital.

GRHP has committed to workforce hiring goals of 20% minority persons and 6.9% women. The builder, Atlas Construction, will also offer the houses as on-site training for Youth Build students in the form of hands-on field trips to visit various trades in action. Youth Build is a program run by the Urban League of Rochester that gives young adults the opportunity to learn more about the construction industry as a career path and acquire job readiness skills. Construction is anticipated to start in Summer 2014 and be complete by Summer 2015.

The agreement term will be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

GRHP will construct four new owner-occupant in-fill homes at 4 Straub Street following the successful model of in-fill housing that GRHP used in the Marketview Heights FIS area as part of a larger initiative called Neighborhood Builders. Neighborhood Builders is a comprehensive community development effort to stabilize neighborhoods, create home ownership opportunities, and increase the tax base by building affordable, single-family, for-sale homes on vacant lots in selected neighborhoods. The locations will be selected based on the presence of substantial public or private investment and the presence of a community-based redevelopment plan.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-107

Ordinance No. 2014-170
(Int. No. 167)

Authorizing the sale of property and an agreement for the Neighborhood Builders - 4 Straub Street Infill Project

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

The City of Rochester acquired and cleared the parcel at 4 Straub Street for this project (Ord. No. 2012-66), and intends to sell the parcel to GRHP for this development. This project will contribute to the stabilization of Straub Street in the Dewey Driving Park FIS, which has been targeted for other investments including the demolition of three structures, a new-construction house as part of the Holy Rosary Apartments project, two HOME Rochester houses, FIS exterior rehabilitation grants, and investments in properties owned by NCS Community Development Corporation.

Section 1. The Mayor is hereby authorized to enter into an agreement with the Greater Rochester Housing Partnership (GRHP) to provide funding for construction of four houses as part of the Neighborhood Builders - 4 Straub Street Infill Project.

The GRHP has been awarded New York State funding for the project: \$120,000 from Urban Initiatives (UI) and \$140,000 from the Affordable Housing Corporation (AHC). The sources and uses of funds are as follows:

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$232,360, and said amount, or so much thereof as may be necessary, shall be funded from 2012-13 Cash Capital. The agreement shall be for a term of one year with an option to extend for an additional year if funds remain.

<u>Sources</u>	
UI subsidy	\$120,000
AHC subsidy	140,000
City subsidy	232,360
Homebuyer mortgages	<u>258,000</u>
Total	\$750,360

Section 3. The Council hereby approves the sale of the parcel at 4 Straub Street, SBL # 090.82-2-21, to the Greater Rochester Housing Partnership (GRHP) as part of the Neighborhood Builders- 4 Straub Street Infill Project. The sale price shall be \$10,000.

<u>Uses</u>	
Acquisition (approximate)	\$ 11,800
Construction	628,640
Soft costs*	73,920
Developer fee	<u>36,000</u>
Total	\$750,360

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

*Includes: Insurance, survey and title, architectural, legal, property management,

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-171 and
Ordinance No. 2014-172
Re: Stadium Estates Affordable Housing Project

Transmitted herewith for your approval is legislation related to the Stadium Estates Affordable Housing Project being undertaken by Charles Settlement House, Inc. and Rochester Cornerstone Group. This legislation will:

1. Authorize the sale of 28 City-owned vacant lots to Charles Settlement House, Inc. or an affiliated partnership or housing development fund corporation to be formed by Charles Settlement House, for the project;
2. Authorize property tax exemptions and payment-in-lieu of taxes agreements for the project. The agreements would provide a thirty-year tax exemption in consideration of an annual in-lieu payment equal to 10% of the project shelter rents (gross rents less utility costs);
3. Authorize an \$800,000 loan agreement with Charles Settlement House, Inc., or a subsidiary to be formed for the project, and appropriate \$330,413 from the Rental Housing Account of the Improve the General Housing Stock allocation of the 2014-15 HOME program to finance the loan as well as \$350,000 as identified in the 2013-14 CIP and \$119,587 identified in the proposed 2014-15 CIP. The loan will be for a term of 30 years with annual interest-only payments of 2%; and
4. Authorize the Mayor to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits or for the project.

Stadium Estates involves the construction of 45 family rental housing units on clustered sites located near the soccer stadium in the JOSANA neighborhood. The project consists of 13 single-family houses, 13 duplexes and two triplexes. This project will help fulfill a neighborhood-driven redevelopment effort and will bolster significant investment in the neighborhood including the modernization of Enrico Fermi School #17, and targeted in-fill development by Habitat for Humanity. A property list and map for the project are attached.

Charles Settlement House received Low Income Housing Tax Credits (LIHTC) and New York State Housing Trust Funds for the construction of this project. All units will be for families with 60% or less of the area median income. All units will become affordable homeownership units through a lease to purchase program to be implemented at the end of the 15 year tax credit compliance period.

Of the 45 units in the project, 35 will be three-bedroom; seven will be four-bedroom; and three will be five-bedroom units. Three of the units will be fully handicapped accessible; two units will be designed for the hearing- and visually-impaired, and seven units will be reserved for households with a family member with either a physical or

developmental disability. All units will also meet or exceed the standards for the New York State Division of Housing Renewal and Community Renewal Green Building Initiatives and the New York State Energy Efficiency Initiative. The project budget is as follows:

<u>Costs</u>	
Property acquisition	\$ 15,725
Soft costs	961,916
Construction	7,738,567
Cons. contingency	437,065
Developer fee	1,308,993
Reserves	185,000
Working capital	<u>95,000</u>
Total	\$10,742,266
<u>Sources</u>	
City	\$ 800,000
Federal Home Loan Bank	540,000
NYS Housing Trust Fund	3,375,358
LIHTC Equity	5,914,408
NYSERDA	<u>112,500</u>
Total	\$10,742,266

The project has been well received by the neighborhood. Charles Settlement House, Inc. initiated a planning process as part of a larger revitalization plan that includes Stadium Estates and the surrounding neighborhoods. Participants included: Charles Neighborhood in Action, Enrico Fermi School #17, block clubs, Flower City Habitat for Humanity, Enterprise Community Partners and the City. Charles Settlement House also plans to partner with community stakeholders to encourage homeowners and residents to enhance the appearance of the neighborhood using other available resources.

The project is anticipated to begin this construction season and be completed in Summer 2015. The agreement term will be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-108

Ordinance No. 2014-171
(Int. No. 168)

Authorizing the sale of real estate and a loan agreement for the Stadium Estates Affordable Housing Project

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

Section 1. The Council hereby authorizes the sale of 28 parcels of land to Charles Settlement House, Inc., or an affiliated partnership or housing development fund corporation to be formed by Charles Settlement House, Inc., for the Stadium Estates Affordable Housing Project. The parcels and sale prices are as set forth below:

<u>Address</u>	<u>Tax ID</u>	<u>Price</u>	<u>Lot Size (SF)</u>	<u>Zoning</u>
719 W Broad Street	105.840-0001-021.001/0000	\$ 500	7,840	R-1
102 Walnut Street	105.750-0002-038.003/0000	3,000	30,056	R-1
813 W Broad Street	105.750-0002-043.001/0000	525	8,712	R-1
692 W Broad Street	105.840-0001-011.000/0000	350	2,640	R-1
696 W Broad Street	105.840-0001-012.000/0000	350	2,640	R-1
424 Jay Street	105.830-0002-044.000/0000	425	4,862	R-1
428 Jay Street	105.830-0002-045.000/0000	425	4,719	R-1
628 Smith Street	105.750-0002-064.000/0000	500	7,320	R-1
877 W Broad Street	105.750-0002-020.000/0000	475	6,956	R-1
583 Smith Street	105.830-0002-021.005/0000	525	8,712	R-1
587 Smith Street	105.830-0002-021.004/0000	525	8,712	R-1
591 Smith Street	105.830-0002-019.004/0000	525	8,712	R-1
595 Smith Street	105.830-0002-018.002/0000	475	6,969	R-1
87 Grape Street	105.830-0002-028.001/0000	475	6,098	R-1
561 Smith Street	105.830-0002-025.001/0000	600	10,018	R-1
69 Walnut Street	105.830-0002-012.000/0000	425	4,300	R-1
71 Walnut Street	105.830-0002-011.000/0000	400	4,000	R-1
73 Walnut Street	105.830-0002-010.000/0000	350	3,780	R-1
625 Smith Street	105.830-0002-005.000/0000	500	7,405	R-1
651 Smith Street	105.830-0002-001.000/0000	425	4,600	R-1
280 Saxton Street	105.830-0002-052.001/0000	550	9,147	R-1
296 Saxton Street	105.830-0002-055.002/0000	550	9,147	R-1
295 Saxton Street	105.830-0001-014.000/0000	425	4,356	R-1
301 Saxton Street	105.830-0001-013.000/0000	425	4,280	R-1
84 Grape Street	105.840-0001-072.001/0000	550	9,583	R-1
320 Jay Street	105.840-0001-034.000/0000	450	5,600	R-1
8 Lime Street	105.750-0001-007.000/0000	475	6,640	R-1
19 Lime Street	105.750-0001-045.001/0000	525	8,712	R-1
Total		\$15,725		

Section 2. The Mayor is hereby authorized to enter into a loan agreement for project financing with Charles Settlement House, Inc. or an affiliated partnership or housing development fund corporation formed for the Stadium Estates Affordable Housing Project. The loan shall be for a term of 30 years with interest at 2% payable annually. Payment of the principal shall be deferred until the end of the term. The Mayor is authorized to adjust the terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project.

Section 3. The loan shall be in the amount of \$800,000, and shall be funded as follows: \$350,000 from the 2013-14 Cash Capital allocation; \$119,587 from the 2014-15 Cash Capital allocation, contingent on its adoption; and \$330,413 from the Rental Housing Account of the Improve the General Housing Stock allocation of the 2014-15 HOME Program, and said amount is hereby appropriated for that purpose.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-172
(Int. No. 169)

Approving a property tax exemption and authorizing an in lieu of tax agreement for the Stadium Estates Affordable Housing Project

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

Section 1. Pursuant to Section 577 of the New York State Private Housing Finance Law, the Council hereby exempts from real property taxes, for a period of 30 years, the properties described below, to be owned by Charles Settlement House, Inc. or an affiliated partnership or housing development fund corporation formed for the Stadium Estates Affordable Housing Project and to be used for housing as a part of the Project:

<u>Address</u>	<u>Tax ID</u>
719 W Broad Street	105.840-0001-021.001/0000
102 Walnut Street	105.750-0002-038.003/0000
813 W Broad Street	105.750-0002-043.001/0000
692 W Broad Street	105.840-0001-011.000/0000
696 W Broad Street	105.840-0001-012.000/0000
424 Jay Street	105.830-0002-044.000/0000

428 Jay Street	105.830-0002-045.000/0000
628 Smith Street	105.750-0002-064.000/0000
877 W Broad Street	105.750-0002-020.000/0000
583 Smith Street	105.830-0002-021.005/0000
587 Smith Street	105.830-0002-021.004/0000
591 Smith Street	105.830-0002-019.004/0000
595 Smith Street	105.830-0002-018.002/0000
87 Grape Street	105.830-0002-028.001/0000
561 Smith Street	105.830-0002-025.001/0000
69 Walnut Street	105.830-0002-012.000/0000
71 Walnut Street	105.830-0002-011.000/0000
73 Walnut Street	105.830-0002-010.000/0000
625 Smith Street	105.830-0002-005.000/0000
651 Smith Street	105.830-0002-001.000/0000
280 Saxton Street	105.830-0002-052.001/0000
296 Saxton Street	105.830-0002-055.002/0000
295 Saxton Street	105.830-0001-014.000/0000
301 Saxton Street	105.830-0001-013.000/0000
84 Grape Street	105.840-0001-072.001/0000
320 Jay Street	105.840-0001-034.000/0000
8 Lime Street	105.750-0001-007.000/0000
19 Lime Street	105.750-0001-045.001/0000

Neighborhood Commercial Assistance Programs	400,000
	\$1,530,000

2. Authorize agreements necessary to implement the programs.

An additional \$75,000 in City Development Funds (CDF) was appropriated for the Development Fund for Economic Development Financial Assistance Loans and Grants via Ordinance No. 2014-125.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-109

Ordinance No. 2014-173
(Int. No. 170)

Approving business programs

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

Section 1. There is hereby appropriated from the following accounts of the Promoting Economic Stability Objective of the 2014-15 Community Development Block Grant the sum of \$1,530,000, or so much thereof as may be available and necessary, to fund the following programs:

<u>Account/Program</u>	<u>Year</u>	<u>Amount</u>
ED Financial Assistance		
Loan & Grant Programs	2014-15	\$950,000
Targeted Façade Improvement Program	2014-15	\$180,000
Neighborhood Commercial Assistance Programs	2014-15	\$400,000

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the programs authorized herein.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-174
Re: Agreement - Greater Rochester Enterprise Economic Development Services

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with Greater Rochester Enterprise (GRE) to provide services related to attract-

Section 2. The Mayor is hereby further authorized to enter into an in-lieu-of-tax payment agreement for a period of thirty years with Charles Settlement House, Inc. or an affiliated partnership or housing development fund corporation formed for the Stadium Estates Affordable Housing Project, whereby the owner shall be obligated to make annual tax and in-lieu-of-tax payments to the City of Rochester equal in total to at least 10% of its annual "shelter rent". "Shelter rent" shall equal gross rents less utility costs.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-173
Re: 2014-15 Consolidated Community Development Plan - Business Programs

Transmitted herewith for your approval is legislation related to the City of Rochester's Business Programs as described in the 2014-15 Consolidated Community Development Annual Action Plan (Con Plan). This legislation will:

1. Appropriate a total of the estimated \$1,530,000 from the Economic Stability allocation of the 2014-15 Con Plan to fund the following business programs:

Economic Development Financial Assistance Loan & Grant Programs	\$ 950,000
Targeted Façade Improvement Program	180,000

ing businesses to the City of Rochester. The agreement will be financed from the Fund for the City's Future, and will have a term of one year, expiring on June 30, 2015.

During the term of its current annual agreement, GRE worked with sixteen business attraction opportunities that considered locating in the City of Rochester. Efforts continue to attract businesses to the Eastman Business Park and other sites found within our community. GRE also supports entrepreneurship and innovation within the Greater Rochester/Finger Lakes region.

GRE collaborates with government leaders, businesses, universities, and not-for-profit organizations to help ensure a united approach to economic development within the City and the region. GRE acts as an ambassador to promote the City, to connect businesses to City of Rochester resources, and to lead initiatives, as appropriate, to increase resources for new business entities.

Terms of the agreement are similar to last year's agreement and will include the following expectations, among others:

- Work with the Rochester region's economic development partners to attract businesses located outside the region to the City of Rochester.
- Deliver at least 15 out-of-region business attraction opportunities that can include sites located within the City of Rochester.
- Include and reference the City of Rochester prominently in all marketing content it develops to promote the Greater Rochester/Finger Lakes region, including but not limited to www.RochesterBiz.com, quarterly newsletters, presentations delivered to local business groups, and capstone presentations delivered to out-of-region companies.

The most recent annual agreement was authorized by City Council in July 2013 via Ordinance No. 2013-224.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-110

Ordinance No. 2014-174
(Int. No. 171)

Authorizing an agreement for economic development services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Greater Rochester Enterprise for support of the City's economic development efforts.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$50,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the Fund for the City's Future. The agreement shall have a term of one year, beginning July 1, 2014 and ending June 30, 2015.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-175
Re: 2014-15 Consolidated Community
Development Plan - Emergency
Solutions Grants Program

Transmitted herewith for your approval is legislation related to authorizing fourteen agreements with twelve not-for-profit providers of services for homeless individuals and families for Emergency Solutions Grant (ESG) program services; and establishing \$331,471 as the maximum compensation for the agreements to be funded from the Housing Choice Fund allocation of the 2014-15 Consolidated Community Development Plan/ESG Program as follows.

Organization	Amount
Alternatives for Battered Women, Inc.	\$ 14,486
Catholic Family Center - Francis Center	19,239
The Center for Youth Services, Inc.	38,536
Dimitri House, Inc.	16,290
Mercy Community Services, Inc.	10,293
Recovery Houses of Rochester, Inc.	10,000
Rochester Area Interfaith Hospitality Network, Inc.	32,882
Salvation Army of Western New York, Inc.	27,850
Spiritus Christi Prison Outreach, Inc - Jennifer House	29,360
Spiritus Christi Prison Outreach, Inc. - Nielsen House	14,860
Spiritus Christi Prison Outreach, Inc. - Essential Services	10,320
Volunteers of America, Inc.	29,235
Veterans Outreach Center, Inc.	22,500
YWCA of Rochester and Monroe County, Inc.	55,620
	<u>\$331,471</u>

This program was last authorized by City Council on July 16, 2013 via Ordinance No. 2013-241. ESG provides housing and support services for individuals and families who are homeless or at risk of homelessness. Eligible activities include: case management, support services, service coordination, shelter operations (staffing and operating costs), addition of beds, and financial assistance and related services for the prevention of home-

lessness and rapid re-housing. The appropriation will fund coordinated access, case management and shelter operations.

Per federal regulations established by the Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH), the ESG Program requires that grantees (City and County) collaborate with the community of homelessness service providers. To that end, funding priorities were jointly determined with the Rochester/Monroe County Continuum of Care. The ESG Program providers were selected through a request for proposal (RFP) process. The RFP development and funding distribution decisions were conducted jointly with Monroe County. The RFP was issued May 2, 2014.

If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly. Agreement terms will be for one year, with the option to extend for an additional year if funds remain in the original appropriation.

Attached are summaries of the RFP process and agency services. This legislation supports the City's Housing Policy Section 4: *Promote Housing Choice*.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-111

Ordinance No. 2014-175
(Int. No. 187)

Authorizing an agreement for the Emergency Solutions Grant

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

Section 1. The Mayor is hereby authorized to enter into agreements with providers of services for services to homeless individuals under the Emergency Solutions Grant. The agreements shall obligate the City to pay an amount in total not to exceed \$331,471, with the maximum amount for each agreement being as set forth below, and said amount, or so much as may be necessary shall be funded by \$331,471 from the Housing Choice Fund of the 2014-15 Consolidated Community Development Block Grant Consolidated Plan/Emergency Solutions Grants Program. The agreements shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

<u>Organization</u>	<u>Amount</u>
Alternatives for Battered Women, Inc.	\$ 14,486
Catholic Family Center - Francis Center	19,239
The Center For Youth Services, Inc.	38,536
Dimitri House, Inc.	16,290
Mercy Community Services, Inc.	10,293
Recovery Houses of Rochester, Inc.	10,000
Rochester Area Interfaith Hospitality Network, Inc.	32,882

Salvation Army of Western New York, Inc.	27,850
Spiritus Christi Prison Outreach, Inc. - Jennifer House	29,360
Spiritus Christi Prison Outreach, Inc. - Nielsen House	14,860
Spiritus Christi Prison Outreach, Inc. - Essential Services	10,320
Volunteers of America, Inc.	29,235
Veterans Outreach Center, Inc.	22,500
YWCA of Rochester and Monroe County, Inc.	<u>55,620</u>
	\$331,471

Section 2. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson - 8.

Nays - None - 0.

Councilmember Spaul abtained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-176
Re: Lead Hazard Control Program
Submission of Funding Application

Transmitted herewith for your approval is legislation to submit a funding application to the United States Department of Housing and Urban Development's (HUD's) Office of Healthy Homes and Lead Hazard Control for \$3,900,000.

HUD recently published its Notice of Funding Availability (NOFA) for its Lead Hazard Control Programs. Under this current NOFA, eligible applicants may receive up to \$3.9 million to carry out lead hazard control and healthy homes activities. The City is proposing to apply for this maximum amount. A 25% local funding match is required.

The City will request funding from HUD to control lead based paint hazards in a minimum of 200 units of privately-held 1-4 unit residential structures. Eligible properties will receive between \$15,000 - \$20,000 per unit and will receive a lead-based paint risk assessment. Owner-occupants must have incomes at or below 80% of the area median income and tenants must have incomes at or below 50% of the area median income. All property owners will be required to complete a lead-safe practices training course. The program will be available City-wide.

In addition to lead hazard control, other activities to be funded by the grant include: lead risk assessments, child blood testing services, lead safe work practices training, and contractor training. The grant will fund an outreach and education program to reach at-risk households to build awareness of the dangers of lead-based paint and other environmental health hazards. Grant funds will also be used to hire up to two consultants to provide customer service (primarily application intake services) for the program.

The City has received seven HUD grants for lead hazard control since 2003 totaling \$18.6 million and has since produced 1,326 units of lead safe housing. If funded, this HUD grant will further our goal of reducing lead based paint hazards in privately-held housing to ensure a safe living environment for child occupants.

HUD is expected to announce funding awards by October 2014. If funded, the program will begin by April 2015 and will operate for a maximum of 3 years.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-176
(Int. No. 189)

Authorizing an application and agreement for the lead hazard control program

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

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the United States Department of Housing and Urban Development for funding for the City's Lead Hazard Control Program.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-177
Re: Zoning Map Amendment -
2113 Lake Avenue

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the property at 2113 Lake Avenue from R-1 Low Density Residential to O-S Open Space. The subject property is owned by Holy Sepulchre Cemetery and is currently vacant. The purpose of this rezoning is to combine this property with the cemetery. Holy Sepulchre wishes to combine these parcels to create a buffer around

one of its children's burial sections.

The City Planning Commission held an informational meeting on this proposed rezoning on Monday, May 12, 2014. One person spoke in support of the rezoning; no one spoke in opposition. By a vote of 4-1-0, the Planning Commission recommended approval. Minutes from the meeting are attached.

A public hearing on the amendment is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-112

Ordinance No. 2014-177
(Int. No. 172)

Changing the zoning classification of 2113 Lake Avenue from R-1 low density residential to O-S open space

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcel, constituting 2113 Lake Avenue from R-1 low density residential to O-S open space:

LEGAL DESCRIPTION OF LANDS TO BE REZONED FROM R-1 TO O-S;
#2113 LAKE AVENUE
T.A. #075.750-01-027

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 41, Township 1, Short Range, and being more particularly bounded and described as follows:

Beginning at a point on the westerly ROW line of Lake Avenue (100' ROW) at the southeast corner of Lot 47 of the George Bennett Subdivision, as filed in the Monroe County Clerk's Office in Liber 24 of Maps, Page 10, said corner being the Point or Place of Beginning; thence

- 1) Westerly, along the south line of said Lot 47, a distance of 180.31 feet to the southwest corner thereof; thence
- 2) Northerly, along the west line of said Lot 47, a distance of 41.0 feet to the northwest corner thereof; thence
- 3) Easterly, along the north line of said Lot 47 and its extension, a distance of 223.1 feet, more or less, to the centerline of said Lake Avenue; thence
- 4) Southerly, along said centerline of Lake Avenue, a distance of 41.9 feet, more or

less, to the easterly extension of the said south line of Lot 47; thence

- 5) Westerly, along said extension of the south line of Lot 47, a distance of 51.5 feet, more or less, to the said westerly ROW line of Lake Avenue and the south-east corner of Lot 47, being the Point or Place of Beginning.

Being the same premises conveyed to Holy Sepulchre Cemetery in a deed dated January 8, 2001 and filed in Liber 9408 of Deeds, Page 396.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-178
Re: Zoning Text Amendment/Correction -
Planned Development District No. 1,
Holy Redeemer

Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester by correcting the Zoning Code references contained in the regulations for Planned Development District (PD) No.1, Holy Redeemer.

This District was approved by City Council in 2002, prior to the 2003 update of the City's Zoning Code. As a result, several references are made to Chapter 115 as the City Zoning Code, which it was under the 1975 Zoning Ordinance. After the 2003 update, the Zoning Code became Chapter 120 of the City Code. However, the references in the Holy Redeemer PD were never corrected.

This amendment corrects the oversight and changes all references to the Zoning Code from Chapter 115 to Chapter 120.

A public hearing is required for this Zoning Text Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-113

Ordinance No. 2014-178
(Int. No. 173)

Amending Chapter 120 of the Municipal Code, the Zoning Code, with regard to minor text amendments to the Planned Development District No. 1 Holy Redeemer

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

Section 1. Chapter 120 of the Municipal Code, the Zoning Code, is hereby amended to change the

text with regard to the Planned Development District No. 1 Holy Redeemer as follows:

Planned Development District No.1
Holy Redeemer (Northside Church of Christ)

- A. Purpose. Holy Redeemer (Northside Church of Christ) Planned Development is intended to recognize and permit a defined area for the unified and orderly development of the Hudson Avenue Campus of the Northside Church of Christ, maintaining an integrated facility that provides a variety of community services. The Holy Redeemer (Northside Church of Christ) Planned Development District will maintain the integrity of the church as an important part of the Hudson Avenue streetscape and as a valuable cultural resource of the City of Rochester. Planned Development Districts allow flexibility in planning and development and provide a process for evaluating and accommodating incremental growth and change, thereby assuring compatibility with the adjacent, non-institutional districts.
- B. Permitted uses. Permitted uses include, but are not limited to, the following uses when consistent with the above purpose and subject to the provisions of ~~115-65~~ 120-125.
 - (1) Churches.
 - (2) Residential buildings for seniors.
 - (3) Schools.
 - (4) Daycare centers.
 - (5) Community centers.
 - (6) Community support and services.
- C. Accessory uses and structures. Accessory uses and structures are permitted in the Holy Redeemer (Northside Church of Christ) Planned Development, subject to site plan review and the limitations established in the ~~R-3 Low-Medium~~ Residential Zoning Districts.
- D. Bulk, space and yard requirements.
 - (1) Maximum floor area ratio: per approved plan.
 - (2) Maximum height: three stories.
 - (3) Minimum yard requirements:
 - (a) Along Hudson Avenue:
 - [1] Parking lots and structures: five feet.
 - [2] Buildings: 25 feet.
 - (b) Along Clifford Avenue:

[1] Buildings: 20 feet

(c) Along Alphonse Street:

[1] Parking lots and structures: 20 feet.

[2] Buildings: 20 feet.

E. Parking: Off-street parking and loading requirements are as set forth below, subject to the standards of ~~115-90~~ 120-173.

(1) Location. Parking for uses within the Holy Redeemer (Northside Church of Christ) Planned Development may be located anywhere in the District.

(2) Required spaces: There shall be no requirement for uses in Holy Redeemer (Northside Church of Christ) Planned Development. However, any such parking voluntarily provided shall comply with the parking lot design and maintenance standards of the City Zoning Ordinance Code.

F. Regulations set forth in ~~115-95C(5)~~ 120-143A regarding telecommunications antennas and towers shall apply to this IPD.

G. Amendments to or modifications of this district are subject to the procedures set forth in ~~115-27~~ 120-126.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By Councilmember Haag
June 17, 2014

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 174 - Authorizing an agreement with the Monroe County Division of Social Services for the burial of indigents

Int. No. 175 - Authorizing an amendatory professional services agreement for the City Hall Green Pervious Parking Lot Project

Int. No. 176 - Authorizing Water Quality Improvement Projects

Int. No. 177 - Appropriating funds and authorizing agreements for the Elmwood Avenue/Collegetown Cycle Track Project

Int. No. 178 - Authorizing a professional services agreement for the Turning Point Park Trailhead

Parking Lot Expansion Project

Int. No. 179 - Amending Municipal Code Sections 23-2 and 23-29 with regard to water service

Int. No. 190 - Amending Ordinance No. 2012-254 with regard to maximum annual compensation for a professional services agreement for bridge and structural engineering services, as amended

Int. No. 208 - Authorizing a professional services agreement with Labella Associates P. C., for resident project representation services

The Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 180 - Extending a moratorium on permits, certificates of zoning compliance and variances for exploration and extraction of natural gas within the City

Int. No. 185 - Amending the Official Map by renaming Euclid Street as Andrew Langston Way and dedicating parcels as right of way and naming open space as Midtown Commons

Respectfully submitted,
Matt Haag
Elaine M. Spaul
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-179
Re: Inter-Municipal Agreement - Monroe County Division of Social Services, Burial Of the Indigent at Riverside Cemetery

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with the Monroe County Division of Social Services in which the City will provide burial services for decedents deemed to be indigent by either the County's Public Administrator or the Office of Faith-Based and Community Initiatives.

This agreement will allow the County to bury decedents in Riverside Cemetery. The fee paid by the County for a burial right, grave opening and closing, and flat marker will be \$865. Any proposed fee increase under this agreement shall be submitted 90 days in advance of such increase.

The term of the proposed agreement is five years. Under the terms of this agreement, either party may terminate the agreement with 90 days notice given to the other party.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-114

Ordinance No. 2014-179
(Int. No. 174)

Authorizing an agreement with the Monroe County Division of Social Services for the burial of indigents

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe Division of Social Services to provide burial services for decedents deemed to be indigent by the County's Public Administrator or the Office of Faith Based Initiatives.

Section 2. The agreement shall obligate the County to pay to the City a fee of \$865 for each burial for burial services at Riverside Cemetery. Proposed fee increases during the term of the agreement shall require the approval of both parties with at least ninety days notice. The agreement shall be for a term of five years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-180 and
Ordinance No. 2014-181
Re: Amendatory Agreement - Barton & Loguidice, City Hall Green Pervious Parking Lot

Transmitted herewith for your approval is legislation related to the City Hall Green Pervious Parking Lot project. This legislation will:

1. Authorize an amendatory agreement with Barton & Loguidice, D.P.C., Rochester, New York, for additional resident project representation (RPR) services for the project. The original agreement, authorized in May 2012, established maximum compensation of \$55,000 for engineering design and RPR services (Ord. No. 2012-213); the amendment will increase maximum compensation by \$25,300 to a total of \$80,300. The cost of the amendatory agreement will be financed from prior years' Cash Capital (\$15,300) and bonds (\$10,000) authorized via Ordinance No. 2012-452 for the Project Acceleration Emergency Generator Program; and
2. Authorize the Mayor as an authorized agent to sign grant related documents for the Water Quality Improvement Program grant, as required by the New York State Department of

Environmental Conservation (NYSDEC).

The Green Pervious Parking Lot project involves the construction of a new porous asphalt pavement to the City Hall parking lot, and is partially funded from the NYSDEC Water Quality Improvement Program.

The additional services requested herein are for more comprehensive RPR staffing to the original Green Pervious Parking Lot project to ensure compliance with specifications, and for inspection of the natural gas service and foundation work for the future installation of the City Hall emergency generator. Barton & Loguidice's oversight of the installation of the gas service and foundation will better coordinate the work of the two projects and prevent the need for pavement cuts in the new pervious parking lot.

Construction is underway with completion anticipated for August 2014. The amendatory agreement will result in the creation/retention of the equivalent of 0.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-180
(Int. No. 175)

Authorizing an amendatory professional services agreement for the City Hall Green Pervious Parking Lot Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Barton & Loguidice, P.C. for engineering design services for the City Hall Green Pervious Parking Lot Project. The amendment shall increase maximum compensation by \$25,300 to a total of \$80,300. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded by \$15,300 from prior year cash capital of the Department of Environmental Services and \$10,000 from Bond Ordinance No. 2012-452.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-181
(Int. No. 176)

Authorizing Water Quality Improvement Projects

WHEREAS, funds are available for the Projects listed below pursuant to the Bond Acts enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, as well as federal grant awards available for such projects; and

WHEREAS, the City of Rochester herein called the "City", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the City deems it to be in the public interest and benefit under this law to enter into a contract therewith.

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

Section 1. The Mayor, Lovely A. Warren, or the Mayor's successor in office, is the representative authorized to act in behalf of the City Council in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the City Council in all matters related to the Project and to State assistance.

Section 2. The City agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation.

Section 3. The City Clerk shall prepare and send to the Albany office of the New York State Department of Environmental Conservation one certified copy of this ordinance.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-182
Re: Agreement - C&S Companies,
Elmwood Avenue/Collegetown
Cycle Track Project

Transmitted herewith for your approval is legislation related to the Elmwood Avenue/Collegetown Cycle Track project. This legislation will:

1. Appropriate \$1,000,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) Transportation Enhancements Program (TEP) to finance a portion of the design and construction of the project;
2. Authorize an agreement with CT Rochester, LLC for the receipt and use of a donation of \$250,000 to fund a portion of the cycle track

and amend the Cash Capital allocation of the 2013-14 Budget to reflect this amount; and

3. Establish \$190,000 as maximum compensation for an agreement with C&S Companies, Rochester, New York, for preliminary and final design services on the project. The cost of the agreement will be financed from FHWA (\$119,260) and CT Rochester, LLC (\$29,370) funds appropriated herein, and 2011-12 Cash Capital allocations (\$41,370).

The Elmwood Avenue/Collegetown Cycle Track project will result in the development of a two-way bicycle path along Elmwood Avenue connecting the Genesee Riverway Trail and the University of Rochester River Campus with the University of Rochester Medical Center, Collegetown, and Mt. Hope Avenue. Future phases will extend the path eastward into the Town of Brighton, providing additional desirable connections for users. The cycle track will be physically separated from both car traffic and pedestrians, providing a safe, high quality environment for bicyclists while enhancing the streetscape for all users. The construction cost is estimated at \$1,110,000.

C&S Companies was selected for these services through a request for proposal process, which is described in the attached summary.

City Council authorized an application for TEP funds and agreements with the New York State Department of Transportation (NYSDOT) in August 2013 (Ord. No. 2013-285).

The design report will be completed in Spring 2015, with construction beginning in Fall 2015. The agreement will result in the creation/retention of the equivalent of 2.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-115

Ordinance No. 2014-182
(Int. No. 177)

Appropriating funds and authorizing agreements for the Elmwood Avenue/Collegetown Cycle Track Project

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

Section 1. The Council hereby appropriates \$1,000,000 in anticipated reimbursements from the Federal Highway Administration, Transportation Enhancements Program to fund the Elmwood Avenue/College Town Cycle Track Project.

Section 2. The Mayor is hereby authorized to enter into an agreement with CT Rochester, LLC for the receipt and use of a donation of \$250,000 to fund a portion of the costs of the Elmwood Avenue/College Town Cycle Track Project. The 2013-14 budget is hereby amended to increase the cash

capital allocation by the \$250,000 in funds to be received pursuant to this authorization.

Section 3. The sum of \$190,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and C&S Companies for preliminary and final design of the Elmwood Avenue/College Town Cycle Track Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Of said amount, \$119,260 shall be funded from the appropriation made in Section 1 of Federal Highway Administration funds, \$29,370 shall be funded from the Cash Capital funds to be received from CT Rochester, LLC pursuant to Section 2, and \$41,370 shall be funded from 2011-12 Cash Capital.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-183
Re: Agreement - Stantec Consulting Services, Turning Point Park Improvements Project

Transmitted herewith for your approval is legislation establishing \$68,000 as maximum compensation for an agreement with Stantec Consulting Services, Rochester, New York, for resident project representation (RPR) services for the Turning Point Park Trailhead, Sidewalks and Parking Improvements project. The agreement will be funded from a New York State Environmental Facilities Corporation (EFC) grant via Ordinance No. 2011-303 (\$61,200), 2011-12 Cash Capital (\$2,400), and prior years' Cash Capital (\$4,400).

Stantec Consulting Services' design of this project began in 2009 (Ord. No 2009-320), and its services supported the City in securing an EFC Green Innovation Grant in the amount of \$552,000 to fund a portion of the park improvements (Ord. No. 2011-303). The design agreement was later amended to incorporate the additional grant requirements and the expanded scope of improvements (Ord. No. 2011-397).

The improvements to Turning Point Park include: a porous pavement parking lot; new porous pavement sidewalks on Boxart Street; associated improvements to trails; rain gardens; a scenic overlook; and educational signage. The planned parking lot will be constructed on City property on Boxart Street and will accommodate approximately 40 parking spaces, an increase from the current parking capacity of 32 spaces. Bids were opened on May 6, 2014 with the apparent low bidder, Hydrolawn of Buffalo, at \$527,000, which is 0.04% above the engi-

neer's estimate.

Stantec Consulting Services was selected for RPR services based on its familiarity with the project. A full justification for not issuing a request for proposals is attached.

Construction is anticipated to begin in Summer 2014, with scheduled completion in Fall 2014. The RPR services will result in the creation/retention of the equivalent of 0.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-116

Ordinance No. 2014-183
(Int. No. 178)

Authorizing a professional services agreement for the Turning Point Park Trailhead Parking Lot Expansion Project

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

Section 1. The sum of \$68,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Stantec Consulting Services, Inc. for resident project representation services for the Turning Point Park Trailhead Parking Lot Expansion Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded by \$61,200 from grant funds from the New York State Environmental Facilities Corporation appropriated by Ordinance No. 2011-303 and by \$2,400 from the 2011-12 cash capital allocation and \$4,400 from prior years cash capital.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-184
Re: Amendments - Municipal Code

Transmitted herewith for your approval is legislation amending sections 23-2 and 23-29 of the Municipal Code.

Section 23-2 specifies the parts and materials a property owner must comply with when installing a new or replacing an existing water service. Due to budget constraints and workforce changes, the City's Plumbing Division can no longer inspect the installation of the water service line between the

curb valve and the water meter inside the property to ensure that the materials and installation methods used are compliant with Water Bureau specifications and procedures. Since the City has higher materials standards than the State, codifying the parts and materials used is necessary.

Section 23-29 specifies the process and responsibilities associated with fire hydrant use permits. The amendment clarifies obligations of the applicant related to metering and payment, proper support for the equipment, exclusion of Holly fire hydrants and proper advance notice for obtaining the permit. It also allows more flexibility in permit duration and renewal.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-184
(Int. No. 179)

Amending Municipal Code Sections 23-2 and 23-29 with regard to water service

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

Section 1. Section 23-2 of the Municipal Code, paragraph A, is hereby amended to read as follows:

Section 23-2. Responsibilities of owners

- A. Service installation and maintenance. The owner of a parcel of property is responsible for the installation and any necessary replacement of the entire water service pipe supplying water to that parcel from the connection with the street main into the property. The owner must use exclusively parts and materials contained in the City's Approved Products List for water works installations for the entire length of the service pipe between the water main and the water meter. The owner must follow installation methods according to the City's Water Works Specifications and Details. The owner is responsible for all necessary repair of the water service pipe from the curb valve into the property. The Waterworks will provide necessary repairs to the service pipe between the connection with the street main and the curb valve, inclusive. Where there is no curb valve, the property owner is responsible for all repairs from the connection with the street main into the property. The Director of Water may, by written notification, require a property owner to make necessary repairs to a leaky or defective service, if such repairs are the responsibility of the owner. A problem of inadequate flow or pressure in a service must be corrected by replacement of the service by the property owner; the Waterworks is not responsible for making any repairs to try to correct such problem.

Section 2. Section 23-29 of the Municipal Code

is hereby amended by amending paragraphs A and B to read as follows:

Section 23-29. Fire hydrants.

- A. Hydrant use permit. An application may be made to the Director of Water for a permit to take water ~~through~~ from a fire hydrant of the City. If such a permit is granted, an extension nozzle, ~~meter~~ wrench ~~and~~ reduced pressure zone backflow prevention device ~~and appropriate fittings~~ will be provided by the Waterworks to the applicant, and all water taken from the hydrant shall be taken through such nozzle, ~~meter~~ and reduced pressure zone backflow prevention device. The nozzle, wrench, ~~meter fittings~~ and reduced pressure zone backflow prevention device shall be returned to the Waterworks upon or before expiration of the permit. ~~No hydrant permit shall be issued for longer than one month, but such permits may be renewed on a monthly basis. Hydrant permits may be issued for one month or the expected duration of the project and must be prepaid. Renewals must be prepaid. The applicant is responsible for properly supporting the meter-backflow assembly from the ground. The applicant is responsible for properly protecting the assembly. Hydrant permits will be issued only for domestic hydrants. All high pressure Holly hydrants (painted with white dome) will not be used. The applicant will be expected to call at least 24 business hours in advance of obtaining the permit with the required nozzle size and hydrant location; to give the Water Bureau time to unlock the hydrant and prepare the assembly. If the applicant needs to move the assembly to another hydrant, he will be expected to call Dispatch (585-428-7500) at least 24 hours in advance to give the Water Bureau time to unlock the next hydrant. The applicant will be expected to follow all written instructions issued with the permit. No hydrant permit will be issued for the purpose of filling swimming pools or for any other use which the Director deems to be a potential hazard or nuisance.~~
- B. Charges. A monthly fee shall be charged for each hydrant permit pursuant to ~~§23-37E(1)~~ and ~~(2)~~, and a refundable deposit shall be required pursuant to ~~§23-37E(3)~~ for each nozzle, wrench, meter and reduced pressure zone backflow prevention device taken. In addition, the applicant shall pay either the minimum hydrant water consumption charge pursuant to ~~§23-37E(2)~~ or a metered water consumption charge at the regular metered consumption rates set forth in ~~§23-37A(1)~~, at the discretion of the Director. If the Director requires the payment of metered consumption charges, a meter will be supplied to the applicant by the Waterworks, and the applicant shall make a refundable deposit for the meter at the rates set forth in ~~§23-37B~~. The applicant will also be charged the cost of any repairs or replacements necessitated

by such use of the hydrant, nozzle, wrench, meter and reduced pressure zone backflow prevention device. The costs will include water main repair, hydrant repair, road restoration and other damages caused by the rapid opening or closing of the valving or hydrant, known as water hammer. Water hammer will cause excessive flow and pressure variations that may break the water mains. Hydrant permits issued to contractors for demolition are permitted to use their own backflow device, without a meter. The Permit Office will charge the normal fees for hydrant use and minimum monthly consumption charge, as a part of the abandonment permit.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-185
Re: Agreement- Bridge and Structural Engineering

Transmitted herewith for your approval is legislation establishing \$96,000 as maximum compensation for an amendatory agreement with Labella Associates PC, Rochester, New York, for bridge and structural engineering services. Originally authorized in Ordinance No. 2012-254, the agreement has an initial term of one-year with the option of four one year renewals at maximum compensation of \$75,000. Given the increasing amount of bridge and structural work planned in the capital improvement program, the original amount is insufficient to cover the cost of services required. This third renewal, as amended, shall be funded from 2013-14 Cash Capital allocations of the Department of Environmental Services.

For the remaining two years of the optional one-year renewals, this legislation establishes \$120,000 as maximum compensation for the 2015 annual renewal and \$135,000 as maximum compensation for the 2016 annual renewal to be funded from amounts set forth in the annual capital budgets for said purpose, contingent upon adoption of said budgets.

The table below shows the major increase in the bridge and structural capital program since Ordinance No. 2012-254 was authorized:

<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>
\$375,000	\$454,000	\$499,000	\$619,000

Labella Associates, PC provides bridge and tunnel inspections, miscellaneous structural investigations, design and construction reviews, contract preparation, resident project representation and general consultation services. The City is responsible for whole and partial maintenance of 60 bridges and 10 tunnels.

The 2014 renewal results in the creation/retention of the equivalent 1 full-time job.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-185
(Int. No. 190, As Amended)

Amending Ordinance No. 2012-254 with regard to maximum annual compensation for a professional services agreement for bridge and structural engineering services

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

Section 1. Ordinance No. 2012-254 is hereby amended to increase the maximum annual compensation to be paid for a professional services agreement between the City and LaBella Associates, P.C. for bridge and structural engineering services. For 2013-14 the maximum annual compensation shall be \$96,000. Said amount shall be funded from the 2013-14 Cash Capital allocation of the Department of Environmental Services. For the remaining annual renewal periods of the agreement the maximum annual compensation shall be an amount no more than ~~\$120,000 in 2014-15 and \$135,000 in 2015-16 to be funded from the amounts set forth in the annual capital budgets for said purposes,~~ the Cash Capital allocation of the Department of Environmental Services adopted for said purposes in the 2014-15 and 2015-16 budgets, contingent upon adoption of those budgets.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-186
Re: Agreement-LaBella Associates, P.C.,
Park Projects Resident Project
Representation Services

Transmitted herewith for your approval is legislation establishing \$60,000 per year as maximum compensation for a one-year agreement with two one-year extensions with LaBella Associates, P.C. for resident project representation (RPR) services for Parks and Recreation projects. The total cost of the agreement will be \$180,000. The cost of \$60,000 will be financed from the 2014-15 Cash Capital allocation of the Department of Recreation and Youth Services, and the extensions will be funded from future years' Cash Capital allocations of the Department of Recreation and Youth Services, contingent upon approval of the said budgets.

Typically, RPR services for the construction of

Parks projects are provided by either City personnel or private consultants on a "project by project" basis. However, during peak periods of the summer construction season, sufficient City personnel are not available to inspect projects. To address this problem, the proposed agreement will expedite private consultant assignment to the various park projects, facilitating project management and completion by providing greater flexibility for assigning both City personnel and private consultants.

A request for proposal was advertised on the City website on April 7, 2014 with proposals due April 27, 2014. LaBella Associates was selected from a process detailed in the attached summary.

Projects covered by this agreement include, but are not limited to:

- Court repairs and resurfacing at Humboldt Recreation Center, Cobb's Hill Park, Clinton-Baden Community Center, and Norton Village Recreation Center; and
- Apparatus replacements at Paul Bianchi Park, Campbell Street Community Center, Grand Avenue playground, Don Samuel Torres Park, Farmington Park, Roxie Sinkler Recreation Center, Riley Park, and Orchard Street.

This agreement will have a term of one year with two one-year extensions.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-117

Ordinance No. 2014-186
(Int. No. 208)

Authorizing a professional services agreement with LaBella Associates P.C., for resident project representation services

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

Section 1. The sum of \$60,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement with LaBella Associates P.C., for resident project representation services for parks and recreation projects. The agreement shall be for a term of one year with two one-year optional extensions. Said amount shall be funded by \$60,000 from the 2014-15 Cash Capital funds of the Department of Recreation and Youth Services, and if the agreement is extended, by Cash Capital funds of the Department of Recreation and Youth Services in FY 2015-16 and 2016-17, contingent upon adoption of those budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-187
Re: Extending a Moratorium on
Hydrofracking

Transmitted herewith for Council approval is legislation that will extend the moratorium on the exploration and extraction of natural gas, commonly referred to as "Hydrofracking" within the City of Rochester for an additional year.

Hydrofracking is the process used to extract natural gas that has been trapped in shale formations through high pressure horizontal drilling which infuses water, sand and chemical additives to create small fractures within the rock that will then allow for natural gas to flow.

This legislation would extend the moratorium based on the fact that the State of New York has not yet acted on this subject in a statewide capacity and because the higher courts of New York State have upheld lower courts' decision, which found that bans/moratoriums on Hydrofracking through Zoning are allowable. The higher courts' decision to uphold the lower courts' ruling was unanimous, and because of that decision permission would need to be granted by the Court of Appeals to hear this case. Based on these two points, I am respectfully requesting that my colleagues on Council extend this moratorium for one year as we await the abovementioned findings.

Respectfully submitted,
Loretta C. Scott
President, City Council

Ordinance No. 2014-187
(Int. No. 180)

Extending a moratorium on permits, certificates of zoning compliance and variances for exploration and extraction of natural gas within the City

WHEREAS, the City of Rochester hereby intends to extend a moratorium on the exploration and extraction of natural gas within the City of Rochester under its zoning powers, in order to preserve and protect the public health, safety and welfare of the residents of and visitors to the City of Rochester from known and suspected dangers from natural gas exploration and extraction, while the effects of such activities in the City can be further studied; and

WHEREAS, the City Council of the City of Rochester finds that:

- (1) Natural gas exploration and extraction occurring in the urban environment of the City of Rochester may pose a significant threat to

the health, safety and welfare of the residents and visitors to the City of Rochester.

- (2) The potential exists for environmental and human health impacts as evidenced by reported cases of such impacts in other areas of the country where natural gas exploration and extraction has occurred.
- (3) Natural gas exploration and extraction within the City of Rochester could endanger the health, safety and welfare of City residents and visitors through the deposit of gases, vapors, hazardous substances and other materials into the air, soil, water and environment of the City. The City of Rochester, an urban area, with dense residential development, a built environment and the existence of many brownfield sites, may be particularly vulnerable to these impacts.
- (4) Clean air, water and soil are essential to most resources and activities in the Rochester area. The quality of air, water and soil may be degraded and polluted by natural gas exploration and extraction and the chemicals used in these processes, and this pollution may have immediate and long term adverse health impacts.
- (5) There has been inadequate research into the specific impacts of natural gas exploration and extraction in urban areas, where there are dense residential development, many existing industrial sites, and a large number of brownfield sites containing identified and unidentified hazardous substances or hazardous wastes. Of particular concern is the impact that the natural gas extraction method of high-volume hydraulic fracturing may have on the existing hazardous substances or hazardous wastes found in brownfield sites, the potential for and increased danger from seismic activity in a developed urban area, and the increased danger from any spills, emissions or discharges due to proximity to dense urban populations.
- (6) The City of Rochester is uniquely situated on or adjacent to several bodies of water, including Lake Ontario, the Genesee River and the Erie Canal, which are already vulnerable to pollution from groundwater runoff and other sources. In addition, the City has a large number of parks as well as public and private cemeteries. There has been inadequate study of the potential adverse impact of natural gas exploration and extraction on these critical natural resources.
- (7) The protection of residents, neighborhoods and the natural environment by placing a moratorium on natural gas exploration and extraction in the City of Rochester is an appropriate use of the City's zoning powers; and

WHEREAS, the extension of the moratorium

imposed on permits, certificates of zoning compliance and variances for natural gas exploration and extraction for an additional approximate one-year period shall allow for further review in order that informed decisions may be made on the effects of such activities in the City.

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

Section 1. The moratorium on the acceptance of applications for, and on the approval of, permits, certificates of zoning compliance and variances for natural gas exploration and extraction in the City of Rochester adopted by Ordinance No. 2013-204 is hereby extended through June 30, 2015.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-188
Re: Official Map Amendments - Midtown
Redevelopment Project

Transmitted herewith for your approval is legislation related to the Midtown redevelopment project. This legislation will amend the Official Map by dedicating 25 Euclid Street and 5 Atlas Street as right-of-way to incorporate public sidewalks and establish "Andrew Langston Way". By combining the north-south portion of the former Euclid Street and the parcel known as 15 Euclid Street, a continuous north-south street running from East Main Street to Elm Street will be created and named in honor of Mr. Langston. The Official Map will also be amended to name the public open space at the Midtown redevelopment site as "Midtown Commons." The amendments were referred to the necessary agencies for comment.

Andrew Langston was the late founder of WDKX-FM, one of the first African-American-owned radio stations in New York. The names were selected by Mayor Lovely Warren and a City Hall committee from 328 suggestions submitted by the public over two weeks in late March. The City had asked that names relate to the city or its history and, per City Code, not include the name of a living person or someone who died within the past year. Mr. Langston died in 2010 at the age of 81. He founded WDKX, which airs on 103.9 FM, in 1974. The station's call letters, WDKX, honor African-American civil rights activists Frederick Douglass, Dr. Martin Luther King, Jr. and Malcolm X.

The amendments are being requested as a part of the Midtown redevelopment project.

The City Planning Commission recommended approval of these amendments by a vote of 5-0 at its May 12, 2014 meeting. Minutes of that meeting, along with the application, are attached.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-118

Ordinance No. 2014-188
(Int. No. 185)

Amending the Official Map by renaming Euclid Street as Andrew Langston Way and dedicating parcels as right of way and naming open space as Midtown Commons

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by renaming Euclid Street as Andrew Langston Way, and by dedicating for said street purposes the parcel known as 15 Euclid Street to be included in Andrew Langston Way more particularly described as following parcel:

ANDREW LANGSTON WAY

Beginning at a point in the Northerly Right of Way of Elm Street as established by Ordinance 2013-383, said point being the Southeast corner of Lot R2D as shown on the Subdivision Plan titled "Resubdivision of Lots 1, 2, 3, and 4 of the Midtown Redevelopment Subdivision" Filed at the Monroe County Clerk's Office under Liber 342 of Maps at Page 86; thence

- 1) along said Northerly Right of Way along an arc a distance of 66.61 feet, said arc having a radius of 183.00 feet, the chord bearing of which is S 87°07'41" E, a chord distance of 66.24 feet to a point; thence
- 2) along an arc a distance of 115.80 feet, said arc having a radius of 383.00 feet, the chord bearing of which is N 10°12'40" W, a chord distance of 115.36 feet to a point; thence
- 3) N 18°52'23" W a distance of 96.22 feet to a point in the southerly Right of Way for Euclid Street; thence
- 4) N 71°37'47" W along said southerly Right of Way a distance of 82.91 feet to a point; thence
- 5) S 18°52'23" E a distance of 146.39 feet to a point of curvature; thence
- 6) along an arc a distance of 90.74 feet, said arc having a radius of 317.00 feet, the chord bearing of which is S 10°40'22" E, a chord distance of 90.43 feet to the POINT OF BEGINNING.

The above described parcel contains 0.337 acres (14688 sq. ft.) more or less.

Section 2. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further

amended by dedicating the parcels known as 25 Euclid Street and 5 Atlas Street as right of way for street and public sidewalk purposes, more particularly described as follows:

ADDITION TO EUCLID STREET

Beginning at a point in the Southerly Right of Way of Euclid Street at its intersection with the Westerly Right of Way of Atlas Street; thence

- 1) N 71°37'47" W along said Southerly Right of Way a distance of 212.57 feet to a point; thence
- 2) S 18°52'23" E a distance of, 61.68 feet to a point; thence
- 3) along an arc a distance of 44.42 feet, said arc having a radius of 20.00 feet, the chord bearing of which is N 44°44'55" E, a chord distance of 35.84 feet to a point; thence
- 4) S 71°37'47" E a distance of 159.34 feet to a point in the Westerly Right of Way of Atlas Street; thence
- 5) N 18°18'59" E along said Westerly Right of Way a distance of 17.00 feet to the POINT OF BEGINNING.

The above described parcel contains 0.089 acres (3866 sq. ft.) more or less

ADDITION TO ATLAS STREET

Beginning at a point in the Northerly Right of Way of Elm Street as established by Ordinance 2013-383 at its intersection with the Westerly Right of Way of Atlas Street; thence

- 1) N 64°00'03" W along said Northerly Right of Way a distance of 28.19 feet to a point; thence
- 2) N 67°09'28" E a distance of 9.21 feet to a point; thence
- 3) N 18°18'59" E a distance of 159.87 feet to a point; thence
- 4) S 71°37'47" E a distance of 21.00 feet to a point the Westerly Right of Way of Atlas Street; thence
- 5) S 18°18'59" W along said Westerly Right of Way a distance of, 169.69 feet to the POINT OF BEGINNING.

The above described parcel contains 0.082 acres (3558 sq. ft.) more or less

Section 3. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by naming the open space area at the Midtown redevelopment site as "Midtown Commons".

Section 4. This ordinance shall take effect im-

mediately.

Passed unanimously.

By Councilmember McFadden
June 17, 2014

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 181 - Establishing maximum compensation for veterinary services agreements

Int. No. 182 - Authorizing agreements for the 2014 Justice Assistance Grant Program

Int. No. 203 - Authorizing an amendatory agreement for school resource officers

Int. No. 205 - Amending Ordinance No. 2014-151 and authorizing an agreement for the Summer of Opportunity Program

The following entitled legislation is being held in Committee:

Int. No. 204 - Authorizing an agreement for the youth mentorship and empowerment program

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-189
Re: Agreements - Veterinary Services

Transmitted for your approval is legislation related to veterinary services for Rochester Animal Services (RAS) for 2014-15. This legislation will:

1. Appropriate \$14,000 from the Animal Control Gifts Fund to partially support veterinary services; and
2. Establish \$50,900 as maximum compensation for agreements for veterinary services for the RAS shelter.

The cost of these agreements will be funded from the 2014-15 Budget of the Police Department (\$36,900) and the Animal Control Gifts Fund (\$14,000), as appropriated herein. The Police Department Budget amount includes a \$7,500 grant from the American Society for the Prevention of Cruelty to Animals (ASPCA). The table below summarizes the use of these funds:

Use	RPD Budget	Gifts Fund	Total
On-site vet services	\$27,900	\$14,000	\$41,900
Monroe Vet Assoc.			7,000
Lollypop Farm			2,000
Total	\$36,900	\$14,000	\$50,900

Despite adding a full-time veterinarian position in January 2012, RAS utilizes agreements with outside veterinarians and veterinary technicians to increase surgical capacity, improve customer service, and provide veterinary coverage during the regular veterinarian's absences. The full-time position is currently vacant, so veterinary services will be provided exclusively by consultants until the position can be filled. The consultants will provide on-site veterinary services including, but not limited to, examinations, treatments, vaccinations, and surgical sterilization of the animals in custody at the shelter on Verona Street. Each of the consultants will provide services on a part-time or on-call basis.

RAS also establishes agreements with Monroe Veterinary Associates/Animal Emergency Services (MVA/AES) and the Humane Society of Rochester and Monroe County at Lollypop Farm. MVA/AES covers emergency and after-hours veterinary services and performs spay and neuter surgeries when on-site consultants are not available. Lollypop Farm also performs spay and neuter surgeries when on-site consultants are not available.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-189
(Int. No. 181)

Establishing maximum compensation for veterinary services agreements

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

Section 1. The sum of \$50,900, or so much thereof as may be necessary, is hereby established as the compensation to be paid for professional services agreements for veterinary services for the Animal Services Shelter. Said amounts shall be funded by \$36,900 from the 2014-15 Budget of the Police Department, contingent upon its adoption, and by \$14,000 from the Animal Control Gifts Fund, which amount is hereby appropriated for that purpose.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-190
Re: Agreement - US Department of
Justice, 2014 Justice Assistance
Grant

Transmitted herewith for your approval is legisla-
tion related to the 2014 Justice Assistance Grant.
This legislation will:

1. Authorize an agreement with the US Depart-
ment of Justice for the receipt and use of the
2014 Justice Assistance Grant in the amount
of \$201,254; and
2. Authorize an agreement with the County of
Monroe for the distribution and use of
\$90,565 of the grant for support of the "Oper-
ation Nightwatch" program.

As administrator for the grant, the City is allowed
10%, or \$20,125, to cover administrative costs.
The remaining funds are allocated equally between
the City and the County for their respective pro-
grams. The County intends to use its share to sup-
port "Operation Nightwatch," a program of the
Probation Department which follows up on proba-
tioners' evening curfews.

A portion of the City's share, in the amount of
\$49,917, will be used to underwrite part of the
salary costs of the Coordinator of the Police De-
partment's Family and Victims Services Section.
These funds were anticipated and included in the
2014-15 Budget of the Police Department, contin-
gent upon its adoption at the June Council meeting.
The remaining amount of \$40,648 will be used to
improve the services the Rochester Police Depart-
ment can provide reluctant victims/witnesses to
secure their cooperation and enhance prosecutions
of violent crimes.

The term of this grant is October 1, 2013 through
September 30, 2017. No matching funds are re-
quired.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-190
(Int. No. 182)

**Authorizing agreements for the 2014 Justice
Assistance Grant Program**

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

Section 1. The Mayor is hereby authorized to
enter into an agreement with the United States
Department of Justice, Bureau of Justice Assis-
tance, for funding under the 2014 Justice Assis-
tance Grant Program in the amount of \$201,254.

Section 2. The Mayor is hereby further autho-
rized to enter into an agreement with the County of

Monroe to fund the Monroe County Probation
Department's Operation Nightwatch Program.

Section 3. The agreement shall obligate the City
to pay to the County an amount not to exceed
\$90,565, and said amount, or so much thereof as
may be received under the Grant Agreement autho-
rized in Section 1 and designated for use by the
County, is hereby appropriated from 2014 Justice
Assistance Grant Program Funds.

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

Section 5. This ordinance shall take effect im-
mediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-191
Re: Agreement - Rochester City School
District, School Resource Officers

Transmitted herewith for your approval is legisla-
tion authorizing an amendatory agreement with the
Rochester City School District (RCS D) for the
receipt of \$1,100,000 as partial reimbursement of
the cost to provide sworn City of Rochester Police
Officers to serve as School Resource Officers at
RCS D facilities as authorized via Ordinance No.
2012-373. This agreement amends the second year
of the two-year term by revising the daily rate of
the cost of School Resource Officers to reflect the
actual cost of services. However, the total amount
of the agreement remains the same.

Police Officers have been assigned as School Re-
source Officers since 1999 to assist in maintaining
safe school environments. The cost for the service
then, and through 2003, was supported in part by a
federal grant. From 2003 to 2007, the cost was
absorbed in total by the City. During the develop-
ment of the 2007-08 City budget, and following
extensive negotiations with the District, it was
agreed that the District would provide annual sup-
port for the School Resource Officers. Under this
amendatory agreement, the City will revise the
billing methodology to reflect the actual Police
expense including salary, benefits, and retirement.

Some of the duties of the Resource Officers include
functioning as role models for students, providing a
police presence in the school, enforcing truancy
law, and handling calls for service that originate
within the school setting.

The termination date of the amendatory agreement
will be June 30, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-191
(Int. No. 203)

Authorizing an amendatory agreement for school resource officers

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Rochester City School District for funding in an annual amount of \$1,100,000 to partially reimburse the City for the cost of School Resource Officers placed in City Schools to extend the current agreement through June 30, 2015, and to revise the reimbursement rate to be paid by the Rochester City School District to the City.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember McFadden moved to amend Int. No. 205.

The motion was seconded by Councilmember Palumbo

The motion was adopted by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Miller, Palumbo, Scott, Spaul - 8.

Nays - None - 0.

Councilmember Ortiz abstained.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-192
Re: Amendment - Ordinance No. 2014-151,
Summer of Opportunity Program

Transmitted herewith for your approval is legislation amending Ordinance No. 2014-151 which authorized the implementation of and agreements for the 2014 Summer of Opportunity Program (SOOP). This legislation will:

Amend Ordinance No. 2014-151 to establish \$41,774 as maximum compensation for an amendatory agreement with North East Area Development, Inc. (NEAD) to administer the SOOP Citizen U program. The cost of this agreement is from the 2014-15 Budget of the Department of Recreation and Youth Services, contingent upon its approval at the June City Council meeting.

The original transmittal stated that the Citizen U program would be administered as part of the City's Internal Jobs Program at a cost of \$55,000 and would serve 33 youth. Due to City policy, the Citizen U youth cannot be paid by the City. It is

necessary, then, for an outside agency to administer the payroll and bus passes. NEAD is already a participating SOOP agency and will administer the Citizen U program for 23 youth. (NEAD is unable to serve 14 and 15-year-olds in the Citizen U program due to SOOP restrictions, reducing the number of participants in this program.) The remaining \$13,226 of the original \$55,000 allocation for Citizen U will be allocated to Other Miscellaneous Costs, for a total of \$18,326.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-119

Ordinance No. 2014-192
(Int. No. 205, as amended)

Amending Ordinance No. 2014-151 and authorizing an agreement for the Summer of Opportunity Program

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

Section 1. Ordinance No. 2014-151 is hereby amended to authorize the Mayor to enter into an agreement with Northeast Area Development Inc. (NEAD) for a maximum amount of \$41,774 for the Citizen U program. Said amount shall be funded by \$41,774 from the amounts appropriated in Ordinance 2014-151 for the Summer of Opportunity Youth Program in the 2014-15 budget of the Department of Recreation and Youth Services. In addition \$13,226 from the amounts appropriated in Ordinance 2014-151 for the Summer of Opportunity Youth Program in the 2014-15 budget of the Department of Recreation and Youth Services shall be reallocated to Other Miscellaneous Costs within said budget.

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

Section 3. The agreement shall be for a term of one year with an option to extend for an additional one year.

Section 4. Ordinance No. 2014-151 is hereby amended to delete the authorization to enter into an agreement for \$11,000 with Partners in Restorative Justice, and to authorize the Mayor to enter into an agreement with Ibero-American Action League for \$11,000 to operate the Music Builds Neighborhood program.

~~Section 4.5.~~ This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Miller, Palumbo, Patterson,

Spaull - 8.

Nays - None - 0.

Councilmember Ortiz abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 204
Re: Agreement - All Pro Multimedia, Youth
Mentorship and Empowerment Program

Transmitted herewith for your approval is legislation establishing \$249,500 as maximum compensation for a one year-agreement with All Pro Multimedia, LLC for its Youth Mentorship and Empowerment Program. The cost of this agreement will be funded from 2014-15 Budget for Undistributed Expenses, contingent upon approval at the June City Council meeting.

The Youth Mentorship and Empowerment Program will utilize the sport of football as a platform to connect 500 Rochester youths ages 13 to 18 to positive adult mentors, life skills development, and long-term success. The proposed agreement will fund staff time, supplies, and administrative fees to conduct the following activities and initiatives:

- Implement the *Rochester Youth Football Champion Academy*, a ten day educational and football skills clinic with a focus on life skills including accountability, team building, goal-setting, diversity training, and conflict resolution;
- Implement the *Rochester Youth Football Invitational*, a national, two-day youth football skills competition and showcase;
- Recruit 100 adults as mentors and implement monthly mentoring events;
- Coordinate *College and Career Readiness* opportunities including college, career and trade school visits, exposure to military recruitment strategies, and business professional and community leader visits;
- Coordinate *Football Helps* promotional campaign to connect youth to local football programming;
- Distribute a *Special Needs Scholarship* fund to promote youth participation in structured sports by providing funds for equipment and sports gear;
- Provide training and coaching certifications to all Rochester Pop Warner team coaches and assistant coaches; and
- Formalize a system of communication amongst Rochester football programs including the City of Rochester, Rochester City School District, and independent youth football leagues permitted to practice on City-

operated fields.

It is anticipated that this program will lead to an increase in youth participation in Rochester football programs, an increase in youth participants' level of physical activity, and a reduction in un-sportsmanlike conduct amongst participating coaches. The key measures to evaluate the performance of this program will be: the number of participants in the Coaches Camp; the number of overall participants; and the number of mentors who participate in the program.

All Pro Multimedia and the Youth Mentorship and Empowerment program are created and led by Roland Williams, a City of Rochester native who has gone on to become a Super Bowl Champion, ESPN and CBS Sports Analyst, Syracuse University graduate and award-winning Performance Coach. A request for proposal was not issued due to the unique experience and qualifications of the consultant.

The City has previously contracted with Roland Williams through the Roland Williams Foundation via Ordinance No. 2001-323.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 204

AUTHORIZING AN AGREEMENT FOR THE YOUTH MENTORING AND EMPOWERMENT PROGRAM

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

Section 1. The Mayor is hereby authorized to enter into an agreement with All Pro Multimedia, LLC for professional services for a youth mentoring and empowerment program, including a Champion Academy summer camp and a football coach development program. The agreement shall be for a term of one year beginning July 1, 2014 and ending June 30, 2015.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$249,500, and said amount, or so much thereof as may be necessary, shall be funded by \$249,500 from the 2014-15 Budget for Undistributed Expense and said amount is hereby appropriated, contingent on adoption of that budget.

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

Section 4. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Spaull
June 17, 2014

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 188 - Establishing maximum compensation for an agreement for the Puerto Rican Festival

Int. No. 191 - Authorizing an agreement for the ROC the Park Concert Series

Respectfully submitted,
Elaine M. Spaul
Adam C. McFadden
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-193
Re: Agreement - Puerto Rican Festival

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with The Puerto Rican Festival, Inc., Rochester, New York, for the 2014 Puerto Rican Festival. The cost of this agreement will be financed from the 2014-15 Budget of the Bureau of Communications.

The Puerto Rican Festival, Inc. was established in 1969 for the express purpose of celebrating and recognizing the culture of Puerto Ricans. Puerto Ricans continue to be one of the largest growing Hispanic populations in New York State. This growth now makes Monroe County and the City of Rochester home to the second largest population of Hispanics in the state. This year's festival will be held on August 1-3 at the Frontier Field VIP Parking Lot.

The Puerto Rican Festival, Inc. sponsors a variety of events which serve to share and celebrate Puerto Rican culture. The largest event is the Puerto Rican Festival. Now in its 45th year, it is the longest running cultural festival in Monroe County.

The festival is an annual three-day event, which averages a daily attendance of 8,500 people of all cultures and ethnic backgrounds. The City's sponsorship will support free admission for the first two hours on Friday and Saturday, as well as several free activities during the festival. It provides free children's activities, a boxing exhibition, free youth participation and performance showcase, and a free health fair on Saturday.

A similar agreement was authorized by Ordinance No. 2013-155 in June 2013.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-120

Ordinance No. 2014-193
(Int. No. 188)

Establishing maximum compensation for an agreement for the Puerto Rican Festival

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

Section 1. The sum of \$30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and the Puerto Rican Festival, Inc. for the 2014 Puerto Rican Festival. Said amount shall be funded from the 2014-15 Budget of the Bureau of Communications, contingent on adoption of that budget.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-194
Re: Agreement - Roc Music LIVE
Entertainment, ROC the Park
Concerts at MLK Park

Transmitted herewith for your approval is legislation establishing \$45,000 as maximum compensation for an agreement with Anthony Simmons, d/b/a Roc Music LIVE Entertainment, Rochester, New York, for booking regional artists and producing the 2014 ROC the Park Concerts. The cost of this agreement will be financed from the Rochester Events Network trust fund.

The City will also cover the cost of public safety services and site equipment up to an amount not to exceed \$15,000. A \$5 admission fee (except ages 12 and under, who are free) is planned for each concert. This will result in a revenue component to the City to defray costs.

A proposal for these concerts was received in May 2014 and is consistent with the Administration's priority of providing low-cost arts and entertainment downtown for the entire community. The concerts will take place at the Martin Luther King, Jr. Memorial Park at Manhattan Square and will feature outstanding regional and local talent as follows:

<u>Concert</u>	<u>Date</u>
An Evening of Neo Soul	Saturday, July 26
A Motown Tribute	Friday, August 22
A Day of Gospel	Saturday, September 6

Roc Music LIVE Entertainment will provide talent booking, site management, marketing, food and beverage vending coordination, concert security and clean-up services for the concerts. Estimated attendance at each concert is 1,000 to 2,000 people.

Anthony Simmons (aka Grand Tone) has more than 20 years experience in the music and entertainment industry. He has coordinated events for the Rochester City School District's "Family Affair" events sponsored by the Parent Engagement Office; produced and coordinated "PeaceFest" and "Beach Bash" for the City of Rochester, and other similar events; and, has multimedia experience with industry magazines, labels, and marketing.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-121

Ordinance No. 2014-194
(Int. No. 191)

Authorizing an agreement for the ROC the Park Concert Series

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

Section 1. The amount of \$45,000 is hereby established as the maximum compensation to be paid to Anthony Simmons d/b/a Roc Music Live Entertainment for a professional services agreement for booking and production services for the 2014 ROC the Park Concert Series. The agreement shall also commit the City to provide public safety services and site equipment with a value not to exceed \$15,000 for the concert series. The cost of said agreement shall be funded by \$45,000 from the Rochester Events Network Trust Fund, and said amount is hereby appropriated for this purpose.

Section 2. The agreement shall have a term of no more than one year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:07 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
JULY 22, 2014

Present - President Scott, Councilmembers Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul -

Absent - Councilmember Conklin - 1.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

- Retirement:
 - Recreation and Youth Services
 - *Annie L. Pride
 - Information Technology
 - Richard G. Goldstein
 - Police Department
 - *William R. Jeroy
 - Library
 - *Dale Heckle
 - *Sharon Steacy
- *Did not attend meeting.

APPROVAL OF THE MINUTES
By Councilmember Patterson

RESOLVED, that the minutes of the Special Meetings of June 10, 2014, the Public Hearing of June 11, 2014 and the Regular Meeting of June 17, 2014 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

- The Mayor submits the following:
 - Public Disclosure - CDBG Participation (5)
 - 4144-14, 4145-14, 4146-14, 4147-14, 4148-14
 - Quarterly Reports 4149-14
 - Professional Services Agreements
 - Delinquent Receivables

The Council submits a Disclosure of Interest Form from Councilmember Spaul on Int. No. 248.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember McFadden submits 1,658 signatures opposing Highland Hospital's plans to expand its campus into the surrounding residential community Petition No. 1698

Councilmember Palumbo submits 2,000 signatures opposing new development at the Port of Rochester Petition No. 1699

Councilmember Patterson submits 221 signatures in favor of reopening Mr. Convenient store Petition No. 1700

PUBLIC HEARINGS.

Pursuant to law public hearing will now be had on the following matter:

Amending Chapter 120 of the Municipal Code, the Zoning Code, with regard to minor text

amendments regarding membership of the Project Review Committee as amended Int. No. 221
No speakers.

Authorizing agreements to consent to the assignment of rights and obligations pursuant to existing agreements related to the Bausch & Lomb Tower and new agreements related thereto Int. No. 250 1 speaker: Alex White

Resolution by the Rochester Urban Renewal Agency authorizing the Agency to consent to the assignment of rights and obligations pursuant to agreements related to Bausch & Lomb Tower thereto Int. No. URA-5 No speakers.

Amending the Official Map by dedicating a parcel as right of way Int. No. 235 No speakers.

Amending the Official Map by dedicating a parcel as right of way Int. No. 237 No speakers.

Approving geometric changes to South Plymouth Avenue between Atkinson Street and South Fitzhugh Street Int. No. 241 No speakers.

Changing the traffic flow on Mark Street from one-way eastbound to one-way westbound traffic Int. No. 242 3 speakers: Jacqueline Duvivien, Justin Kwasa, Joe Klien

Amending the 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, and 2013-14 Consolidated Community Development Plans and authorizing an agreement for the Southwest Youth Organization Project Int. No. 246 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
July 22, 2014

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 209 - Amending Chapter 63 of the Municipal Code with regard to discrimination on the basis of gender identity or expression

Int. No. 210 - Amending Section 111-16 of the Municipal Code with respect to parking

Int. No. 211 - Authorizing professional services agreements for appraisal services

Int. No. 213 - Authorizing an agreement for motor vehicle accident report management services

Int. No. 214 - Amending Ordinance No. 2010-416 to increase maximum compensation for an amendatory professional services agreement for legal services

Int. No. 215 - Approving the acceptance of a grant and amending the 2014-15 Budget of the Rochester Public Library

Int. No. 249 - Authorizing a professional services agreement for payroll processing services

Int. No. 251 - Authorizing competitive grant applications as amended

The following entitled legislation is being held in Committee:

Int. No. 253 - Approving a grant application to the State Education Department for funding under the Statewide Universal Full-Day Prekindergarten Program

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-195
Re: Amending Chapter 63 of the Municipal Code with Regard to Discrimination on The Basis of Gender Identity or Expression

Transmitted herewith for your approval is legislation amending Chapter 63 of the Municipal Code with regard to discrimination on the basis of gender identity or expression. This legislation will expand the definition of discrimination to include the term "Gender Identity and Expression."

The Municipal Code will define Gender Identity and Expression as, "Having or being perceived as having, a gender identity, self-image, appearance, behavior or expression, whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the sex assigned to that person at birth."

The inclusion of this definition into the Municipal Code will increase protections for Transgender and Gender Non-Conforming individuals. This amendment will include the protections that have been introduced but not successfully passed by New York State through the Bill known as "GEN-DA" or the Gender Expression Non-Discrimination Act. The City of Rochester historically has been at the forefront of protecting civil liberties, especially in regards to the Lesbian, Gay, Bisexual, and Transgender (LGBT) Communities. In 1994, Rochester was one of the first cities in the country to recognize Domestic Partnerships for same sex couples, and in May 2014, the City became the third in the country to extend gender affirming care to its employees and their families.

The word "discrimination" is used throughout the Municipal Code; therefore the amendment will

only alter the definitions section meaning that eight pages of the Municipal code will be altered including the indices. General Code, LLC has indicated the cost for this change will be \$300.

Respectfully submitted,
Carolee A. Conklin Chair
Finance Committee
Matt Haag Chair
Parks & Public Works Committee

Ordinance No. 2014-195
(Int. No. 209)

Amending Chapter 63 of the Municipal Code with regard to discrimination on the basis of gender identity or expression

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

Section 1. Section 63-1 of the Municipal Code of the City of Rochester is hereby amended to read as follows:

63-1. Legislative findings.

The Council hereby finds and declares that the City has the responsibility to act to assure that every individual within this City is afforded an equal opportunity to enjoy a full and productive life and that the failure to provide such equal opportunity, whether because of discrimination, prejudice or intolerance in employment, housing, public accommodations and financing practices based upon age, race, creed, color, national origin, gender, gender identity or expression, sexual orientation, disability or marital status, not only threatens the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free democratic state and threatens the peace, order, health, safety and general welfare of the City and its inhabitants.

Section 2. Section 63-2 of the Municipal Code of the City of Rochester is hereby amended by adding a new definition of "gender identity or expression" thereto to read as follows:

GENDER IDENTITY OR EXPRESSION-
Means having, or being perceived as having, a gender identity, self-image, appearance, behavior or expression, whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the sex assigned to that person at birth.

Section 3. Section 63-2 of the Municipal Code of the City of Rochester is hereby amended by amending the definition of DISCRIMINATION, DISCRIMINATE, or DISCRIMINATORY to read as follows:

DISCRIMINATION, DISCRIMINATE, or DISCRIMINATORY- Any direct or indirect act, policy or practice of exclusion, distinction, restriction, segregation, limitation, refusal, denial, or any other act or practice of differentiation or

preference based on, or the perception of, age, race, creed, color, national origin, gender, gender identity or expression, sexual orientation, disability, or marital status; or the aiding, abetting, inciting, coercing or compelling thereof.

Section 4. This ordinance shall take effect immediately.

Added text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-196
Re: Amending the Municipal Code -
Corn Hill Neighborhood Parking

Transmitted herewith for Council approval is legislation that will amend Section 111-16 of the Municipal Code with respect to parking, specifically in the Corn Hill Neighborhood.

This legislation exempts the Corn Hill Neighborhood from the prohibition of parking a vehicle for more than twelve hours on a city street, as long as the vehicle is parked in a designated residential parking space in the Corn Hill Neighborhood and is displaying a valid residential parking permit.

This change is being made at the request of the residents in Corn Hill.

Respectfully submitted,
Carolee A. Conklin
Chair, Finance Committee
Councilmember-at-Large

Adam C. McFadden
Chair
Public Safety, Youth & Recreation Committee
South District Representative

Ordinance No. 2014-196
(Int. No. 210)

Amending Section 111-16 of the Municipal Code with respect to parking

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

Section 1. Section 111-16 of the Municipal Code, relating to parking is hereby amended to read in its entirety as follows:

§ 111-16 Parking for more than twelve hours prohibited.

The driver of a vehicle shall not park such vehicle and the owner of a vehicle shall not suffer or permit such vehicle to be parked for more than 12 hours without being moved on any street in the city, except that where alternate parking regulations are in effect, parking shall be permitted for the maximum period authorized under such regulations. The 12 hour restriction pro-

vided for in this section shall not apply to any vehicle parked in a designated residential parking space in the Corn Hill Neighborhood pursuant to Section 111-81 and displaying a valid residential parking permit pursuant to that section, except that the 12 hour restriction shall apply to such vehicles when the Commissioner of Environmental Services determines that at least 3 inches of snow has fallen in the City within the prior 24 hours.

Section 2. This ordinance shall take effect immediately.

New text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-197
Re: Appraisal and Real Estate Related Services

Transmitted herewith for your approval is legislation establishing \$94,000 as maximum compensation for agreements with the following firms for real estate and appraisal services as needed by the respective City departments:

Department of Neighborhood and Business Development (NBD)

<u>Firm</u>	<u>Maximum Compensation</u>
Pogel, Schubmehl & Ferrara, LLC	\$8,500
Midland Appraisal Associates, Inc.	\$8,500
Bruckner, Tillet, Rossi, Cahill & Associates	\$8,500
Metro Appraisal Associates	\$8,500

Law Department

<u>Firm</u>	<u>Maximum Compensation</u>
Bruckner, Tillet, Rossi, Cahill & Associates	\$10,000
Metro Appraisal Associates	\$10,000

Department of Environmental Services (DES)

<u>Firm</u>	<u>Maximum Compensation</u>
Pogel, Schubmehl & Ferrara, LLC	\$10,000
Midland Appraisal Associates, Inc.	\$10,000
Bruckner, Tillet, Rossi, Cahill & Associates	\$10,000
Metro Appraisal Associates	\$10,000

These agreements are for appraisal services including, but not limited to, broker price opinions and/or comparative market analyses for commercial, industrial, and residential property related to acquisitions, sales, easements, and other property transactions; and for real estate services including, but not

limited to, auctioneer services at various Real Estate auctions. Appraisals are also used by the Law Department in connection with litigation, and by DES in connection with properties acquired for capital projects.

The cost of the agreements will be funded by \$34,000 from the 2014-15 Budget of NBD, \$20,000 from the 2014-15 Budget of the Law Department and \$40,000 from the 2014-15 Capital Budget of DES. The Mayor will be authorized to adjust the amounts authorized for each firm, based upon the actual needs for their services, within the total amount (\$94,000) authorized herein. The agreements shall have a term of one year.

These firms were selected through a request for qualifications (RFQ) process. The RFQ was issued April 9, 2014, published in the *Democrat & Chronicle*, posted on the City website and mailed directly to firms currently under contract with the City. Responses were received from the four selected firms and from Lester Appraisal (Williamsville, New York).

The selection of firms was based on experience with the typical and specialized work required for the City and their familiarity with and location within Monroe County.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-122

Ordinance No. 2014-197
(Int. No. 211)

Authorizing professional services agreements for appraisal services

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following firms for real estate appraisal services as needed by the respective departments as shown below:

Department of Neighborhood and Business Development (NBD)

<u>Firm</u>	<u>Maximum Compensation</u>
Pogel, Schubmehl & Ferrara, LLC	\$8,500
Midland Appraisal Associates, Inc.	\$8,500
Bruckner, Tillet, Rossi, Cahill & Associates	\$8,500
Metro Appraisal Associates	\$8,500

Law Department

<u>Firm</u>	<u>Maximum Compensation</u>
Bruckner, Tillet, Rossi, Cahill & Associates	\$10,000

Metro Appraisal Associates
\$10,000

Department of Environmental Services (DES)

<u>Firm</u>	<u>Maximum Compensation</u>
Pogel, Schubmehl & Ferrara, LLC	\$10,000
Midland Appraisal Associates, Inc.	\$10,000
Bruckner, Tillet, Rossi, Cahill & Associates	\$10,000
Metro Appraisal Associates	\$10,000

Section 2. The cost of the agreements shall be funded by \$34,000 from the 2014-15 Budget of the Department of Neighborhood and Business Development, \$20,000 from the 2014-15 Budget of the Law Department and \$40,000 from the 2014-15 Capital Budget of the Department of Environmental Services. The Mayor is authorized to adjust the amounts authorized for each firm, based on actual needs for their services, within the total amount of funds authorized. The agreements shall have a term of one year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-198
Re: Agreement - LexisNexis, Motor Vehicle Accident Report Management

Transmitted herewith for your approval is legislation authorizing an agreement with LexisNexis (Alpharetta, GA) for the management of motor vehicle accident reports. There is no cost to the City for this service.

Currently, requests for motor vehicle accidents are processed through Police Department Headquarters for a fee of \$0.25 for citizens and \$5.00 for insurance companies.

Through this agreement, LexisNexis will:

- Process online requests for Rochester Police Department motor vehicle accident (MVA) reports with no charge to the City.
- Provide an electronic copy of MVA reports, via the internet, to citizens at no cost.
- Provide an electronic copy of the MVA reports, via the internet, to insurance companies.
- Collect a \$5.00 fee from insurance companies for each report on behalf of the Rochester Po-

lice Department and a convenience fee for LexisNexis.

- Remit to the City the \$5.00 fee collected for each MVA report sold to insurance companies.

Paper copies of MVA reports will still be available at \$0.25 each for citizens that prefer this over electronic versions.

LexisNexis was selected through a request for proposal process, described in the attached summary.

The term of this agreement will be for one year with the option to renew for three additional one-year periods.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-123

Ordinance No. 2014-198
(Int. No. 213)

Authorizing an agreement for motor vehicle accident report management services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with LexisNexis for motor vehicle accident report management services. The agreement shall not obligate the City to make any payment. The agreement shall have a term of one year with an option to renew for three additional one year periods.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-199
Re: Amending Ordinance No. 2010-416 - Woods, Oviatt, Gilman, LLP, Legal Services

Transmitted herewith for your approval is legislation amending Ordinance No. 2010-416 regarding an agreement for legal services. The amendment would increase maximum compensation to Woods, Oviatt, Gilman LLP by \$9,106, which will be the final payment for this agreement, as the matter has been resolved. The cost will be funded from the 2014-15 Budget of the Law Department.

The City entered into an agreement in 2007 with

the law firm of Woods, Oviatt, Gilman LLP for representation in connection with a lawsuit against the City and officers of the Rochester Police Department. Amendments to the original agreement were authorized by Ordinance Nos. 2008-252, 2010-7 and 2010-416. The case has now been completed. This amendment will authorize the amount needed for the final payment owed to the law firm.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-199
(Int. No. 214)

Amending Ordinance No. 2010-416 to increase maximum compensation for an amendatory professional services agreement for legal services

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

Section 1. The sum of \$9,106, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Woods Oviatt Gilman LLP for legal representation of the City, and the amount authorized by Ordinance No. 2010-416 is hereby amended by said amount. The agreement shall terminate upon payment of this amount. Said amount shall be funded from the 2014-15 Budget of the Law Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-200
Re: Budget Amendment - Rochester
Public Library

Transmitted herewith for your approval is legislation authorizing the receipt and use of \$60,000 from the New York State Education Department's "Bullet Aid" to libraries, and amending the 2014-15 Budget of the Library by this amount. The funds will be used for the following purposes:

- Tutoring/classwork services in Northwest Quadrant branch libraries \$15,000
- Equipment, facility and program enhancements in Southwest Quadrant branch libraries 30,000
- Collections at the Central Library 15,000
\$60,000

Funding for the Northwest Quadrant branches and the Central Library was made possible through the efforts of State Senator Joseph E. Robach. The Northwest Quadrant funding will support instruc-

tion for Test Assessing Secondary Completion (TASC) tutoring and coursework at the Maplewood, Charlotte and Lyell branch libraries. Related professional services will be secured through existing term agreements. The funding for Central Library will be used for new digital collections, to support the opening of the new Reynolds Media Center in September 2014.

Southwest Quadrant funding, made possible through the efforts of Senator Michael H. Ranzenhofer, will support the purchase of equipment, facility improvements, and program services for the Arnett, Wheatley and Highland branch libraries.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-200
(Int. No. 215)

Approving the acceptance of a grant and amending the 2014-15 budget of the Rochester Public Library

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Education Department to accept grant funding in the amount of \$60,000 to be used for services of the library.

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

Section 3. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, is hereby amended by increasing the revenue estimates and appropriations to the Rochester Public Library by the sum of \$60,000, which amount is hereby appropriated from the grant funds authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-201
Re: Processing of Election
Inspector Payroll

Transmitted herewith for your approval is legislation establishing \$10,000 maximum compensation for a professional services agreement with USA Payroll for processing the payroll for Election Inspectors. The initial term of the agreement is for one year, with the option for two one-year renewals.

The proposed agreement includes the issuance of checks, providing a check register, issuing 1099 forms as needed, replacement checks, replacement

1099 forms, issuing stop payments, and delivering paychecks ready for mailing to the City within a specified timeline.

A request for proposal was mailed to five payroll processing companies and posted on the City's web site. We received responses from PayIt Payroll, Paychex and USA Payroll. Each proposal was rated on price, services offered, MWBE status, and their location. After being reviewed by the committee established for this purpose, USA Payroll was chosen because it was the lowest bidder, their ability to provide all of the services requested, and our pre-existing relationship with them.

Respectfully submitted,
Loretta C. Scott Carolee A. Conklin
President Chair, Finance Committee

Ordinance No. 2014-201
(Int. No. 249)

Authorizing a professional services agreement for payroll processing services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with USA Payroll Inc. for payroll processing services for election inspectors in an amount not to exceed \$10,000.

Section 2. The cost of the agreement shall be funded by \$10,000 from the 2014-15 Budget of the City Clerk, and if renewed, from future years budgets of the City Clerk contingent upon adoption. The agreement shall have a term of one year, with an option of two one-year renewals.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-202
Re: Competitive Grant Applications -
Fiscal Year 2014-15

Transmitted herewith for your approval is legislation authorizing certain competitive grant applications for the 2014-15 fiscal year. This legislation helps streamline the application process. Council has approved such grant applications annually beginning in 2007.

There are hundreds of federal, state, regional, and private grant opportunities that the City qualifies for as a municipality. Frequently, granting agencies require City Council endorsement as part of the application process. Providing this "up front" approval will enable staff to respond to funding

opportunities more quickly.

Grant applications will continue to require individual Council endorsement when:

- The City is required to pay more than \$250,000 of the cost of the project,
- The award exceeds \$1,000,000,
- Or, for capital projects, completion is required in one calendar year or less.

Reports on funds received will be presented to Council on request.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-202
(Int. No. 251, as amended)

Authorizing competitive grant applications

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

Section 1. The Mayor is hereby authorized to submit applications to Federal, State, and regional governments, agencies and authorities, as well as private foundations and other funding sponsors, for funding that will support City programs, services and capital operations.

Section 2. For successful award applications, the Mayor shall obtain City Council approval to enter into agreements for receipt of the funding and necessary professional services agreements for performance of the work, and for appropriation of the funds.

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

Section 4. Grant applications which obligate the City of Rochester to pay more than \$250,000 in City funding shall require City Council authorization.

Section 5. Grant applications exceeding \$1,000,000 and awards for capital projects that require project completion in one calendar year or less shall require City Council authorization.

Section 6. The Director of Finance shall submit quarterly reports to Council for grants received through applications authorized herein, detailing dollar amounts received and expended.

Section 67. This ordinance shall be in effect for the 2014-15 fiscal year.

Strikeout indicates deleted text, added text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 253
Re: Funding Application - New York State
Education Department, Statewide
Universal Full-Day Prekindergarten
Program

Transmitted herewith for your approval is legislation to submit a funding application to the New York State Education Department for the Statewide Universal Full-Day Prekindergarten Program for \$1,200,000.

This is a new program authorized for the 2014-15 school year. The Rochester City School District has chosen not to apply for the competitive grant which is issued as a reimbursement for services. Statewide, the Education Department is offering \$340 million for this grant, of which \$40 million is available to regions outside of New York City. Programs operating under this grant must provide instruction for at least five hours per school day for the entire school year and awards will be calculated at a per-pupil rate of \$10,000. Eligible applicants are school districts, nonprofit organizations, community-based organizations, charter schools, libraries, and museums. The City of Rochester's Community Library is applying for this grant.

The Maplewood Library currently runs a part-time, prekindergarten program for the children of refugees while providing English language learning and other courses to their parents. This kind of unique, high quality program is what the City intends to support with this funding.

It is widely accepted that prekindergarten education promotes better student achievement in elementary school and beyond. Early learning is especially important for children in the city of Rochester as the City School District, as a whole, is low performing and under State review. Furthermore, the city of Rochester has the fifth highest child poverty rate out of the nation's 75 largest metropolitan areas, and numerous studies have shown that problems associated with poverty have a deleterious effect on children's ability to excel in school.

Improving education is critical to the success of our city and applying for this \$1.2 million grant provides an excellent opportunity to expand upon the numerous educational support programs the City already provides through our libraries.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 253

**APPROVING A GRANT APPLICATION
TO THE STATE EDUCATION DEPARTMENT
FOR FUNDING UNDER THE STATEWIDE
UNIVERSAL FULL-DAY PREKINDERGARTEN
PROGRAM**

BE IT ORDAINED, by the Council of the City

of Rochester as follows:

Section 1. The Mayor is hereby authorized to submit a grant application and any necessary supporting documents to the New York State Education Department for funding under the Statewide Universal Full-Day Prekindergarten Program.

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

Section 3. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Palumbo
July 22, 2014

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 216 - Authorizing the sale of real estate

Int. No. 217 - Authorizing the sale of real estate

Int. No. 218 - Authorizing an agreement for the Emergency Solutions Grants Program

Int. No. 219 - Authorizing an agreement for the Emergency Solutions Grants Program

Int. No. 220 - Authorizing agreements for the development of the Eastman Business Park

Int. No. 252 - Authorizing an extension of agreements for management of the Blue Cross Arena at the War Memorial and a lease of Municipal Lot #10

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 221 - Amending Chapter 120 of the Municipal Code, the Zoning Code, with regard to minor text amendments regarding membership of the Project Review Committee as amended

The following entitled legislation is being held in Committee:

Int. No. 250 - Authorizing agreements to consent to the assignment of rights and obligations pursuant to existing agreements related to the Bausch & Lomb Tower and new agreements related thereto

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-203
Re: Sale of Real Estate

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

The first two properties are vacant lots and are being sold to the same adjacent owner who will combine the lots with their current parcel.

The next property is an unbuildable vacant lot, being sold for \$1.00 (as per City policy) to its adjacent owner who will combine the lot with their existing property.

The first year projected tax revenue for these three properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$1,106.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-124

Ordinance No. 2014-203
(Int. No. 216)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
132 Flower St	106.30-1-32	33x134	4,287	\$425	Librada Brown
138 Flower St	106.30-1-31	32x76	2,361	\$ 50	Librada Brown

Section 2. The Council hereby approves the negotiated sale of the following parcel of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
15 Emanon St	091.61-1-73	40x68	2,720	Shawnell M. Johnson

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-204
Re: Sale of Real Estate and Land Exchange

Transmitted herewith for your approval is legislation authorizing the sale by negotiation of the vacant parcel at 202-204 Lyndhurst Street to New Bethel CME Church, and the exchange of the vacant parcel at 212 Lyndhurst

Street with the vacant parcel at 302 Scio Street owned by New Bethel CME Church.

This transaction will allow New Bethel CME Church to combine these two parcels with the Church's adjacent vacant parcels and construct a parking lot on the resulting contiguous lots. This sale/swap will provide the Church the opportunity to construct a parking lot for overflow parking.

An independent appraisal prepared by Bruckner, Tillet, Rossi, Cahill & Associates on August 16, 2011 valued the City-owned parcel at 212 Lyndhurst Street at \$1,950 and the Church-owned parcel at 302 Scio Street at \$1,900. The property at 202-204 Lyndhurst Street was valued at \$2,100. The purchase price of \$2,150 was established by adding the value of 202-204 Lyndhurst (\$2,100) and the difference in value between 212 Lyndhurst Street and 302 Scio Street (\$50) for a total of \$2,150, payable to the City of Rochester.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-125

Ordinance No. 2014-204
(Int. No. 217)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of a parcel of unbuildable vacant land at 202-204 Lyndhurst Street, and a vacant parcel at 212 Lyndhurst Street to New Bethel CME Church for a combined price of \$4,050, which purchase price shall be paid as follows: New Bethel CME Church shall pay the City \$2,150 in cash and shall also convey to the City the parcel it owns at 302 Scio Street which has an agreed value of \$1,900.

Section 2. City taxes and other City charges, except water charges, against said properties at 202-204 Lyndhurst Street, and 212 Lyndhurst Street are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 3. The agreement shall contain such other terms as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-205
Re: 2014-15 Consolidated Community
Development Plan - Emergency
Solutions Grant Program: Homelessness
Prevention

Transmitted herewith for your approval is legislation related to the Emergency Solutions Grant (ESG) Program as described in the 2014-15 Consolidated Community Development Plan (Con Plan). This legislation will:

1. Appropriate an amount not to exceed \$71,600 from the Housing Choice Fund allocation (ESG Program account) of the 2014-15 Con Plan for implementation of the program; and
2. Establish maximum compensation of \$71,600 for an agreement with Wilson Commencement Park, Inc. for a Homelessness Prevention Program. The cost of the agreement will be financed from the appropriation herein.

The Homelessness Prevention program will provide support services for individuals and families who are homeless or at imminent risk of homelessness. Eligible activities include: benefit and entitlement advocacy, case management, habitability inspections, and referrals to support services designed to stabilize households in permanent, habitable housing such as assistance related to budgeting, domestic violence, education, employment, mental and physical health, housekeeping, legal aid, parenting, and substance abuse. Wilson Commencement Park, Inc. was selected through a request for proposal process in 2013, which is described in the attached summary.

The Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH): ESG Program requires that grantees (City and County) collaborate with the community of homeless service providers. To that end, the request for proposal and review processes were conducted jointly with Monroe County. Proposal selection was based upon priorities established by the Rochester/Monroe County Continuum of Care and by recommendations provided in the Homeless Resolution Strategy-Rochester and Monroe County Final Report authored by Housing Innovations, Inc.

City Council previously authorized agreements for coordinated homelessness prevention and rapid rehousing services in August 2013 (Ord. No. 2013-282).

The agreement term will be for one year, with the option to extend for an additional year if funds remain in the original appropriation.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-126

Ordinance No. 2014-205
(Int. No. 218)

Authorizing an agreement for the Emergency Solutions Grants Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Wilson Commencement Park, Inc. for support services for persons who are homeless or at risk of homelessness under the Emergency Solutions Grants Program.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$71,600, and said amount, or so much as may be necessary, is hereby appropriated from the Improving the Housing Choice Fund allocation (Emergency Solutions Grants Program Account) of the 2014-15 Consolidated Community Development Plan and the agreement shall be funded from said appropriation.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations. The agreement shall extend for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-206
Re: 2014-15 Consolidated Community Development Plan - Emergency Solutions Grant Program: Rapid Re-Housing

Transmitted herewith for your approval is legislation related to the Emergency Solutions Grant (ESG) Program as described in the 2014-15 Consolidated Community Development Plan (Con Plan). This legislation will:

1. Appropriate an amount not to exceed \$123,512 from the Housing Choice Fund allocation (ESG Program account) of the 2014-15 Con Plan for implementation of the program; and
2. Establish \$123,512 as the maximum compensation for an agreement with Coordinated Care Services, Inc (CCSI). The cost of the agreement will be financed from the appropriation herein.

The Rapid Re-Housing program will provide housing and support services for individuals and families who are homeless or at imminent risk of homelessness. Within the ESG Rapid Re-Housing component, eligible activities include: housing stabilization case management, housing search, placement, rent and financial assistance such as arrears, security deposits, moving and storage. CCSI was

selected through a request for proposal process in 2013, which is described in the attached summary.

The Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH): ESG Program requires that grantees (City and County) collaborate with the community of homeless service providers. To that end, the request for proposal and review processes were conducted jointly with Monroe County. Proposal selection was based upon priorities established by the Rochester/Monroe County Continuum of Care and by recommendations provided in the Homeless Resolution Strategy - Rochester and Monroe County Final Report authored by Housing Innovations, Inc.

CCSI has been providing similar services since 2009. City Council previously authorized agreements for coordinated homelessness prevention and rapid re-housing services in August 2013 (Ord. No. 2013-282).

The agreement term will be for one year, with the option to extend for an additional year if funds remain in the original appropriation.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-127

Ordinance No. 2014-206
(Int. No. 219)

Authorizing an agreement for the Emergency Solutions Grants Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Coordinated Care Services, Inc. for support services for persons who are homeless or at risk of homelessness under the Emergency Solutions Grants Program.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$123,512, and said amount, or so much as may be necessary, is hereby appropriated from the Improving the Housing Choice Fund allocation (Emergency Solutions Grants Program Account) of the 2014-15 Consolidated Community Development Plan and the agreement shall be funded from said appropriation.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations. The agreement shall extend for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-207
Re: Agreements - Accept and Distribute
Grant Funds for Eastman Business Park
Development

Transmitted herewith for your approval is legislation related to the acceptance of a grant and related agreement for the development of a Fermentation Cluster Facility at Eastman Business Park (EBP). This legislation will:

1. Authorize an agreement with the Dormitory Authority of the State of New York for the receipt and use of grant funds totaling \$3,000,000; and
2. Establish \$3,000,000 as maximum compensation for an agreement with FermCo, Inc., and/or the entity which will represent the Bioscience Manufacturing Center at EBP, for the development of a Fermentation Cluster Facility costing up to \$30,000,000. The cost of this agreement will be paid for from the grant funds authorized herein.

The development project will occur within EBP, which has been named the region's top priority for job creation by the Finger Lakes Economic Development Council (Council). The Council recommended \$3 million in State funding for the creation of a "fermentation cluster" to attract and create additional jobs and investment in our community. Specifically, the funds will go towards the construction of a nearly 60,000 square foot Bioscience Manufacturing Center. This development will result in up to a \$30 million investment with 42 jobs created within two years, and substantially more in subsequent years.

The project will consist of infrastructure improvements, fermentation tanks and storage equipment necessary to convert feedstock into sugars. These sugars can then be employed in the manufacture of a wide range of biodegradable plastics and biofuels.

The developer has committed to the following workforce hiring goals for the project: 20% minority and disadvantaged persons and 6.9% women hires. The developer also has committed to the following enterprise goals for the project: 20% of the total dollar amount of the construction contracts for the project will be for minority, disadvantaged, small and women-owned business enterprises.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-207
(Int. No. 220)

Authoring agreements for the development of the Eastman Business Park

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

Section 1. The Mayor is hereby authorized to enter into necessary agreements with the Dormitory Authority of the State of New York for the receipt and use of funds for the fermentation cluster facility project at the Eastman Business Park. The amount of the agreement shall not exceed \$3,000,000.

Section 2. The Mayor is hereby authorized to enter into an agreement with FermCo, Inc. or an entity to be formed to develop a fermentation cluster facility. The funds for this agreement shall be the funds anticipated to be received from the Dormitory Authority of the State of New York for the fermentation cluster facility project at the Eastman Business Park. The amount of the agreement shall not exceed \$3,000,000.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-208
Re: Amendments to Agreements - SMG,
Blue Cross Arena at the War Memorial
Management and Parking Lot Lease

Transmitted herewith for your approval is legislation related to management of the Blue Cross Arena at the War Memorial and the lease of City property for adjacent parking. This legislation will:

- 1) Authorize a 60-day extension of the agreement with SMG for continued management of the Blue Cross Arena at the War Memorial.
- 2) Authorize a 60-day extension of the lease agreement with SMG for the parking lot at the corner of Court and Exchange Streets. The lot is comprised of eight parcels: 25 Court Street, and 132, 156, 168, 170, 180, 182 and 200 Exchange Boulevard.
- 3) Amend the 2014-15 Budget by transferring \$75,000 from Contingency to the budget of the Department of Neighborhood and Business Development as a source of funding for the agreements herein.

The current agreements for management of the facility and parking were authorized pursuant to Ordinance No. 2013-217, and expire on July 31, 2014. The extension will enable the City and SMG to continue negotiations for a long-term contract.

With the 60-day extension, the City will agree to reimburse SMG up to a maximum of \$75,000 for any net loss incurred by SMG within the 60-day

period as determined by financial statements provided by SMG. All other terms and conditions will remain the same. This proposed legislation also amends the 2014-15 Budget, transferring \$75,000 from Contingency to the budget of the Department of Neighborhood and Business Development as a source of funding.

It is anticipated that mutually agreeable terms for a new contract can be executed by September 30, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-208
(Int. No. 252)

Authorizing an extension of agreements for management of the Blue Cross Arena at the War Memorial and a lease of Municipal Lot #10

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

Section 1. The Mayor is hereby authorized to extend the existing agreement with SMG for the management of the Blue Cross Arena at the War Memorial, as authorized by Ordinance No. 2013-217, for a term that shall end September 30, 2014. The terms and conditions of the existing agreement shall remain in full force and effect during this new term, except that the agreement shall be amended to authorize the City to pay SMG a maximum of \$75,000 to reimburse SMG for any net operating losses incurred by SMG in managing the Blue Cross Arena during the term of this extension.

Section 2. The Mayor is hereby further authorized to extend the lease agreement with SMG for the lease of Municipal Lot #10, as authorized by Ordinance No. 2013-217, for a term that shall end September 30, 2014. The terms and conditions of the existing lease agreement shall remain in full force and effect during this new term.

Section 3. Ordinance No. 2014-160, the 2014-15 City Budget is hereby amended by transferring \$75,000 from Contingency to the Budget of the Department of Neighborhood and Business Development. The agreements authorized herein shall be funded from said funds.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-209
Re: Minor Text Amendment -
Chapter 120, Zoning Code

Transmitted herewith for your approval is legislation amending the Zoning Code of the City of Rochester by correcting the titles of the member-

ship positions that comprise the City's Project Review Committee (PRC).

The PRC and its corresponding regulations were added to the Zoning Code during the 2003 update. Since that time, the Department of Neighborhood and Business Development has undergone several organizational changes. During the most recent change, the titles of Director of Planning and Manager of Plan Review were eliminated and replaced with the Director of Planning and Zoning and Permit Office Manager, respectively. However, these titles were not updated in the Zoning Code regulations as they pertain to the PRC membership. This text amendment will correct this oversight. Since this amendment is merely a technical correction, referral to the City Planning Commission is not necessary.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-209
(Int. No. 221, as amended)

Amending Chapter 120 of the Municipal Code, the Zoning Code, with regard to minor text amendments regarding membership of the Project Review Committee

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

Section 1. Chapter 120 of the Municipal Code, the Zoning Code, is hereby amended to change the text of Section 120-181 to read as follows:

§ 120-181. Project Review Committee.

A. Membership.

- (1) There shall be a Project Review Committee made up of the following individuals or a designee:
 - (a) The Director of Planning and Zoning;
 - (b) ~~The Director of the Bureau of Business and Housing Development~~ Deputy Commissioner of Neighborhood and Business Development;
 - (c) ~~The Manager of Plan Review Permit Office Manager~~;
 - (d) The City Engineer; and
 - (e) Three urban design specialists, appointed by the Mayor, that could include, but not be limited to, an architect, an urban planner and a landscape architect.
- (2) The Director of Planning and Zoning may request that other City staff attend the discussions of the Project Review Committee

as necessary.

- B. Chairperson. The Director of Planning and Zoning shall serve as Chair of all Project Review Committee meetings.
- C. Staff Secretary and public record. The Director of Planning and Zoning, or a designee, shall be the Staff Secretary of the Project Review Committee. The Staff Secretary shall provide for keeping a file of all records of the Committee, and such records shall be public records open to inspection at reasonable times and upon reasonable notice.
- D. Recommendation procedures.
 - (1) Recommendation to the Director of Plan-ning and Zoning. Subject to the procedures, standards and limitations set forth in § 120-191, Procedures approved by the Director of Planning and Zoning, the Project Review Committee shall review all major site plans referred to it by the Director of Planning and Zoning and make a recommendation to approve, approve subject to conditions or deny the application.
 - (2) Quorum and necessary vote. The Project Review Committee may meet and deliberate at any meeting regardless of the presence of a quorum consisting of five members or may continue consideration of such matter to any later meeting. However, no final recommendation shall be made on any such matter without a quorum being present. The concurring recommendation of a majority of the quorum of the Committee shall be necessary.
- E. Meetings and procedures.
 - (1) Meetings.
 - (a) Meetings shall be held on a regular basis, at least monthly, to review and make recommendations on all development within the authority of the Committee. All meetings of the Project Review Committee shall be held at the call of the Chair or as provided by rule of the Committee.
 - (b) The applicant or an authorized designee may be in attendance at the meetings to respond to clarifying questions the Project Review Committee may have.
 - (c) Meetings shall be open to the public; however, no public participation shall be permitted.
- F. Record. The recommendation, with appropriate exhibits and papers filed in any meeting before the Project Review Committee, and the report shall constitute the record.
- G. Jurisdiction and authority. In addition to the

jurisdiction conferred on it by other provisions of the Charter, codes and ordinances of the City, the Project Review Committee shall have the following jurisdiction and authority:

- (1) Subject to the provisions of § 120-191, to review and make its recommendations on major site plan applications that have been referred to it by the Director of Planning and Zoning.
- (2) To review and make recommendations on neighborhood design guidelines.
- (3) Upon reasonable written request, to make its special knowledge and expertise available to any official, department, bureau, board, commission or agency of the City, county, state or federal governments to aid them in the performance of their respective duties relating to the design of development.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 250 from Committee.

The motion was seconded by Councilmember Haag.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-210
Re: Consent/Release/Termination of
Agreements, PILOT Agreement -
Bausch & Lomb Tower

Transmitted herewith for your approval is legislation related to the proposed redevelopment of the Bausch & Lomb (B&L) Tower located at 125 South Clinton Avenue. This legislation will:

- 1. Authorize the consent of the Rochester Urban Renewal Agency (RURA) to the assignment of the Primary Lease dated March 3, 1993 and amended March 17, 1994 by B&L to Clinton Court LLC (principals: Larry Glazer, Robert Morgan and David Flaum) or such other entity formed by the principals (the Developer) or its leasehold mortgage lender.

The B&L Tower is in the Washington Square Urban Renewal District. The parcel is owned by the Rochester Urban Renewal Agency (RURA) and is covered by a Ground Lease Agreement between RURA and the County of Monroe Industrial Development Agency (COMIDA) and a Primary Lease between COMIDA and B&L. The Tower is being purchased for \$15 million by the Developer.

2. Authorize the consent of RURA to the assignment of the Purchase Option dated March 3, 1993 by B&L to the Developer for the Disposition Parcel at 125 South Clinton Avenue.
3. Authorize the consent of the City to the assignment of the Ellipsoid Easement dated September 4, 1996 by B&L to the Developer and the release from the City of B&L from its obligations under the Ellipsoid Easement accruing after the closing date.

The Ellipsoid Easement provides for the maintenance of the landscaped area with a skylight structure and sculpture structures above the parking garage.

4. Authorize the consent of the City to the assignment of the Pedestrian/Vehicular Connections Agreement last dated July 6, 1994 by B&L to the Developer and the release from the City of B&L from its obligations under the Pedestrian/Vehicular Connections Agreement accruing after the closing date.

The Pedestrian/Vehicular Connections Agreement provides for the vehicular and pedestrian passageways between the adjacent Court Street Garage and the B&L Tower underground garage.

5. Authorize the consent of the City to the assignment of the Landscape Agreement last dated March 23, 1994 by B&L to the Developer and the release from the City of B&L from its obligations under the Landscape Agreement accruing after the closing date.

The Landscape Agreement provides for the maintenance of landscaping on the public right-of-way on East Broad Street, Bausch & Lomb Place and Court Street.

6. Authorize termination of the current Payment in Lieu of Taxes (PILOT) Agreement between COMIDA, the City and B&L dated November 3, 1993.
7. Authorize the consent of the City to the assignment of the Parking Permit Agreement, dated March 3, 1993 and amended November 21, 2000, and further adjusted by letter agreement dated April 4, 2003, to the Developer.
8. Authorize an amendatory agreement to the Parking Permit Agreement as amended and adjusted, clarifying that the 883 parking spaces are available to the owner of the Tower, the tenants and subtenants of the Tower, and their respective employees, guests, and invitees.
9. Authorize the Mayor to execute such agreements, releases or consents and other documents as may be necessary to effectuate the agreements and the proposed redevelopment herein.

The purchase of B&L by Valeant Pharmaceuticals in May 2013, and the subsequent consolidation of

the retained B&L employees to the Goodman Street location, resulted in a steep decrease in occupancy at the B&L Tower and the loss of several hundred local jobs. The Tower is currently 54% occupied. The goal of the Developer is to lower the total occupancy cost in such a way that it will incentivize the current tenants to renew their leases and attract out-of-town firms to relocate to downtown Rochester.

The Developer will make an initial cash investment of \$4,200,000 to achieve these goals. In addition, the Developer and its tenants will create a minimum of 65 new jobs at the location. Current tenants have expressed a desire to vacate the building and move out of the city to an area with lower occupancy costs, and potential tenants have specifically mentioned the tax burden as a reason they will not relocate to the building. The Developer states that these concerns will be allayed under the Developer's proposed pricing structure.

Based on the feedback that the Developer has received from new and existing tenants, the vision for this building will not be achieved without a tax abatement program in place; occupancy in the Tower will continue to decline, jobs could leave Rochester, and new jobs will not be created in the Tower. The proposed PILOT agreement will help stabilize the property.

The sources and uses of funds for the proposed purchase are as follows:

<u>Sources</u>	
Bank loan	\$16,800,000
Equity	<u>4,200,000</u>
Total	\$21,000,000
<u>Uses</u>	
Acquisition	\$15,000,000
Capital improvements	2,000,000
Tenant improvements	<u>4,000,000</u>
Total	\$21,000,000

The Developer will enter into a twenty-year PILOT agreement pending endorsement by the City and approval from COMIDA at its July 21, 2014 meeting. The proposed PILOT agreement between Clinton Court LLC and COMIDA will be based on the following parameters: 1) the term of the agreement shall be twenty years; 2) payments shall be made based on an imputed value of \$15,000,000; and 3) the following escalators shall apply to the imputed value:

<u>Years</u>	<u>Escalator</u>
1-5	none
6-7	3%
8-10	4%
11-20	5%

The projected annual payments by the developer under the PILOT agreement are as follows (the City will receive a pro-rated portion):

Year 1	\$825,000
Year 2	825,000
Year 3	825,000

Year 4	825,000
Year 5	825,000
Year 6	849,750
Year 7	875,243
Year 8	910,252
Year 9	946,662
Year 10	984,529
Year 11	1,033,755
Year 12	1,085,443
Year 13	1,139,715
Year 14	1,196,701
Year 15	1,256,536
Year 16	1,319,363
Year 17	1,385,331
Year 18	1,454,597
Year 19	1,527,327
Year 20	1,603,694
Total	\$21,693,898

A companion item has been submitted to RURA for the assignment of the Primary Lease and Purchase Option by B&L to the Developer.

A public hearing is required in accordance with Urban Renewal procedures.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AN-128

Ordinance No. 2014-210
 (Int. No. 250)

Authorizing agreements to consent to the assignment of rights and obligations pursuant to existing agreements related to the Bausch & Lomb Tower and new agreements related thereto

WHEREAS, the City of Rochester ("City") and the Rochester Urban Renewal Agency (hereinafter called "Agency") have received a proposal from Bausch & Lomb Incorporated and Clinton Court LLC (hereinafter called the "Redeveloper") for the transfer and assignment of Bausch & Lomb Incorporated's interests and obligations pursuant to certain agreements related to the property known as the Bausch & Lomb Tower at 125 South Clinton Avenue (hereinafter called the "Parcel").

WHEREAS, the City and the Agency desire to consent to such transfer and assignment; and

WHEREAS, the Redeveloper has submitted to the City and the Agency a Redeveloper's Statement for Public Disclosure and Redeveloper's Statement of Qualifications and Financial Responsibility (Form HUD-6004); and

WHEREAS, Section 105(e) of the Housing Act of 1949, as amended, provides that no understanding with respect to, or contract for, the sale or lease of land within an urban renewal area shall be entered into by a local public agency unless the Agency shall have first made public in such form and manner as may be prescribed by the Department of Housing and Urban Development, the

name of the Redeveloper, together with the names of its officers and principal members, shareholders, and investors, and other interested parties; and

WHEREAS, a legal notice has been prepared giving public notice as to the availability for public examination of the Redeveloper's Statement for Public Disclosure, the Redeveloper's proposal, and the proposed disposition terms.

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

Section 1. That the Council hereby approves the actions of the Agency with regard to this transfer and assignment as set forth below.

Section 2. That said Redeveloper has complied with the rules, criteria and procedures of the Agency for the selection and designation of redevelopers.

Section 3. That the Redeveloper's Statement for Public Disclosure and Statement of Qualifications and Financial Responsibility (Form HUD-6004) is hereby found satisfactory.

Section 4. That based upon an examination of the aforesaid Redeveloper's Statement of Qualifications and Financial Responsibility (Form HUD-6004), the Agency determines that said Redeveloper possesses the necessary qualifications and financial resources to purchase or lease and redevelop said Parcel in accordance with the Urban Renewal Plan for the project.

Section 5. That, in accordance with the provisions of Section 507(2)(d) of the General Municipal Law of the State of New York, as amended, said Redeveloper is hereby designated as a qualified and eligible Redeveloper to purchase or lease and develop said Parcel in accordance with the established rules and procedures prescribed by the Agency.

Section 6. That the Secretary of the Agency is hereby authorized, in accordance with the publication of a legal notice as authorized by the Council of the City of Rochester, to have a copy of the Redeveloper's Statement for Public Disclosure, the Redeveloper's proposal, and the proposed disposition terms available for examination by the public at the office of the Agency.

Section 7. That the Secretary of the Agency is hereby authorized to execute documents necessary for the Agency to consent to the transfer and assignment to the Redeveloper of Bausch & Lomb Incorporated's interests and obligations pursuant to certain agreements related to the Parcel, including but not limited to the following agreements:

The Primary lease dated March 3, 1993 as amended by agreement dated March 17, 1994 and the release of Bausch & Lomb Incorporated from its obligations pursuant to that agreement.

The Purchase Option dated March 3, 1993 and the release of Bausch & Lomb Incorporated from its obligations pursuant to that agreement.

Section 8. The Mayor is hereby authorized to execute documents necessary for the City to consent to the transfer and assignment to the Redeveloper of Bausch & Lomb Incorporated's interests and obligations pursuant to certain agreements related to the Parcel and to execute new agreements related thereto, including but not limited to the following agreements:

The Primary lease dated March 3, 1993 as amended by agreement dated March 17, 1994 and the release of Bausch & Lomb Incorporated from its obligations pursuant to that agreement.

The Purchase Option dated March 3, 1993 and the release of Bausch & Lomb Incorporated from its obligations pursuant to that agreement.

The Ellipsoid Easement dated September 4, 1996 and the release of Bausch & Lomb Incorporated from its obligations pursuant to that agreement.

The Pedestrian/Vehicular Connections Agreement dated July 6, 1994, and the release of Bausch & Lomb Incorporated from its obligations pursuant to that agreement.

The Landscape Agreement dated March 23, 1994 and the release of Bausch & Lomb Incorporated from its obligations pursuant to that agreement.

An agreement to terminate the existing Payment In Lieu Of Taxes (PILOT) agreement among the City, Bausch & Lomb Incorporated and the County of Monroe Industrial Development Agency (COMIDA) dated March 3, 1993.

The Parking Permit Agreement dated March 3, 1993, as amended by amendments dated November 1, 2000 and April 4, 2003 and the release of Bausch & Lomb Incorporated from its obligations pursuant to that agreement.

An Amendatory Agreement to the Parking Permit Agreement dated March 3, 1993, as amended by amendments dated November 1, 2000 and April 4, 2003, providing that the parking spaces made available pursuant to the Parking Permit Agreement shall be available to the Redeveloper as owner of the Parcel and its tenants and subtenants, their employees, invitees and guests.

Section 9. For the purposes of securing financing for the acquisition and redevelopment of the Parcel, the City and the Agency consent to the assignment by the Redeveloper of its rights and obligations under the various agreements authorized herein to a financial institution approved by the City or to an entity formed by the Redeveloper.

Section 10. The Mayor is hereby authorized to execute such other agreements, releases, consents or other documents as may be necessary to effectuate the transfer and assignment of the rights in the Parcel and the redevelopment of the Parcel.

Section 11. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Haag
July 22, 2014

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

Int. No. 212 - Authorizing amendatory agreements with T.Y. Lin International Group for design and resident project representation services

Int. No. 222 - Authorizing an agreement with the Rochester Genesee Regional Transportation Authority (RGRTA) for the fueling of City vehicles

Int. No. 223 - Establishing maximum compensation for an amendatory professional services agreement for the City Hall Generator Project

Int. No. 224 - Establishing maximum compensation for a professional services agreement for engineering services for the CVMF Building 100 Compressed Natural Gas Vehicle Maintenance Facility Modifications Project

Int. No. 225 - Authorizing agreements for structural engineering services for construction and renovation of City facilities

Int. No. 226 - Establishing maximum compensation for resident project representation services for the Browncroft Neighborhood Street Lighting Project

Int. No. 227 - Authorizing an amendatory agreement with Bergmann Associates, P.C.

Int. No. 228 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,470,000 Bonds of said City to finance the replacement or repair of hazardous and failing sidewalks in the City as amended

Int. No. 229 - Authorizing an amendatory agreement for public improvements related to the Mt. Hope Avenue Phase 2 Village District Project

Int. No. 230 - Authorizing an agreement for environmental services

Int. No. 231 - Authorizing an agreement for employment and job training services

Int. No. 232 - Amending the 2013-14 Budget to transfer funds from Contingency to Cash Capital

Int. No. 233 - Establishing maximum compensation for a professional services agreement for engineering design services for the Durand Eastman Beach Bathhouse Site Preparation and Improvements Project and appropriating grant funds

Int. No. 234 - Bond Ordinance of the City of Rochester, New York authorizing \$344,000 Bonds of said City to finance the cost of construction of the Durand Eastman Beach Bathhouse Site Preparation and Improvements Project

Int. No. 236 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$340,000 Bonds of said City to finance the reconstruction of water mains related to the Portland Avenue Revitalization Project

Int. No. 238 - Establishing maximum compensation for resident project representation and construction phase design services for the Portland Avenue Revitalization Project

Int. No. 239 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$1,800,000 Bonds of said City to finance the reconstruction of certain streets related to the 2014 Milling and Resurfacing Program as amended

Int. No. 240 - Changing the bicycle traffic flow on Court Street from one-way eastbound to two-way bicycle traffic

The Jobs, Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 235 - Amending the Official Map by dedicating a parcel as right of way

Int. No. 237 - Amending the Official Map by dedicating a parcel as right of way

Int. No. 241 - Approving geometric changes to South Plymouth Avenue between Atkinson Street and South Fitzhugh Street

Int. No. 242 - Changing the traffic flow on Mark Street from one-way eastbound to one-way westbound traffic

Respectfully submitted,
Matt Haag
Elaine M. Spaul
Michael A. Patterson
Dana K. Miller
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-211
Re: Amendatory Agreements - Annual Parking Garage Evaluation and Rehabilitation Program

Transmitted herewith for your approval is legislation related the Annual Parking Garage Evaluation and Maintenance Program. This legislation will:

1. Establish \$30,000 as maximum compensation for an amendatory agreement with T.Y. Lin International Group, Rochester, New York,

for design of the Mortimer Street Parking Lot Improvements; and

2. Establish \$385,000 as maximum compensation for an amendatory agreement with T.Y. Lin International Group for resident project representation (RPR) services for the fourth annual agreement renewal and the Mortimer Street Parking Lot Improvements.

The original design agreement with T.Y. Lin International Group for the Annual Parking Garage Evaluation and Maintenance Program had a maximum annual compensation of \$300,000 and included four annual renewals for a total of five years (Ord. No. 2009-378). The agreement was amended via Ordinance No. 2010-318 by \$85,000 for additional design services for the East End Garage. All four renewals have been executed by calendar year as follows: 2011 (\$142,000), 2012 (\$268,500), 2013 (\$240,000), and 2014 (\$400,000). The current amendment for the Mortimer Street Garage is required to complete improvements to the garage prior to the opening of the new Rochester Genesee-Regional Transportation Authority Transit Center in November 2014. The amendatory design agreement will be funded from 2014-15 Cash Capital allocation.

The original RPR agreement with T.Y. Lin International Group had a maximum annual compensation of \$95,000 and included four annual renewals for a total of five years (Ord. No. 2010-116). Three renewals have been executed by calendar year as follows: 2011 (\$96,000), 2012 (\$120,000), and 2013 (\$185,000). The current amendment of \$385,000 will be funded from Bond Ordinance No. 2014-12 for garage improvements (\$120,000), and Cash Capital allocations from the following fiscal years: 2012-13 (\$140,000), 2013-14 (\$100,000), and 2014-15 (\$25,000). The work underway is greater in 2014 as a result of the addition of elevator improvements and the Mortimer Street Garage improvements.

Seven City-owned garages (Genesee Crossroads, Mortimer Street, High Falls, South Avenue, Washington Square, Sister Cities, and Court Street) will be improved in 2014; work includes post-tensioned tendon repairs, deck waterproofing and sealing, repair to structural components, expansion joint repair, structural façade repairs and waterproofing, mechanical, electrical and plumbing system repairs, masonry repairs, and elevator repairs and replacements. The 2014 Garage Rehabilitation contract was awarded in June 2014 to Crane-Hogan Structural Systems, Inc. in the amount of \$2,280,146 and Concord Electric Corporation in the amount of \$97,000, plus \$150,806 for contingencies. The value of the Mortimer Street Garage improvements will add an additional \$195,000 to the anticipated construction. Total construction value is \$2,722,952.

Construction will began in July 2014 with anticipated completion in December 2014. The renewals results in the creation/retention of the equivalent 4.5 fulltime jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-211
(Int. No. 212)

Authorizing amendatory agreements with T.Y. Lin International Group for design and resident project representation services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with T.Y. Lin International Group for professional services related to the design of improvements to the Mortimer Street Parking Lot. The amendatory agreement shall be in an amount not to exceed \$30,000, which amount shall be in addition to the amounts authorized by Ordinance Nos. 2009-378 and 2010-318. The cost of the agreement shall be funded from the 2014-15 Cash Capital allocation of the Parking Fund.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with T.Y. Lin International Group for professional services related to the resident project representation services related to the Garage Rehabilitation Program and the Mortimer Street Parking Lot improvements. The amendatory agreement shall be in an amount not to exceed \$385,000, which amount shall be in addition to the amounts authorized by Ordinance No. 2010-116. The cost of the agreement shall be funded from the Cash Capital allocations of the Parking Fund as follows: \$140,000 from 2012-13, \$100,000 from 2013-14, \$25,000 from 2014-15, and \$120,000 from the funds appropriated by Bond Ordinance No. 2014-12.

Section 3. The agreements may extend until three months after completion and acceptance of a two year guarantee inspection of the Project.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-212
Re: Agreement - Rochester-Genesee Regional Transportation Authority, Vehicle Fueling

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester-Genesee Regional Transportation Authority (RGRTA) for the continued refueling of City vehicles at the RGRTA facility at 1372 East Main Street. The term of this agreement will be one year with two additional one year renewals.

The City is involved in several cooperative refueling programs. It provides refueling services to Monroe County, the Rochester Housing Authority,

U.S. Marshal and, in the past, the Federal Bureau of Investigation.

Under this agreement, RGRTA provides unleaded fuel to City vehicles (primarily police vehicles) operating on the east side of the City to avoid unnecessary travel to the Central Vehicle Maintenance Facility located on the west side. It also provides diesel fuel to Rochester Fire apparatus housed near the East Main Street facility.

Under the proposed agreement, the City will reimburse RGRTA for the actual cost of the fuel and pay an administrative and service charge of \$0.195 per gallon.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-212
(Int. No. 222)

Authorizing an agreement with the Rochester-Genesee Regional Transportation Authority (RGRTA) for the fueling of City vehicles

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester-Genesee Regional Transportation Authority (RGRTA) for the fueling of City vehicles at the RGRTA Facility at 1372 East Main Street. The agreement shall be for a term of one year, with two one-year renewals. The agreement shall obligate the City to reimburse RGRTA for the actual cost of the fuel and to pay an administrative and service charge of \$.195 per gallon. Funding shall be provided in the annual City Budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-213
Re: Amendatory Agreement - Stantec Consulting Services, Inc., City Hall Generator Installation

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Stantec Consulting Services Inc., Rochester, New York, for additional engineering and architectural services for the City Hall generator installation project. The original agreement for \$92,000 was authorized in March 2013 (Ord. No. 2013-68). This amendment will increase maximum compensation by \$21,000 to a total of \$113,000. The cost of the agreement will be financed from Bond Or-

dinance No. 2012-452.

The project includes engineering and architectural services for an emergency backup generator at City Hall. The consultant will provide schematic design through construction administration services. This includes additional structural engineering services associated with the approved "stacked unit" design option selected by the City and additional mechanical and electrical engineering services associated with existing code deficiencies in City Hall's electrical room.

Construction will begin in October 2014, with completion scheduled for March 2015, at an estimated cost of \$909,000. The amendment will increase total job creation/retention by the equivalent of 0.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-213
(Int. No. 223)

Establishing maximum compensation for an amendatory professional services agreement for the City Hall Generator Project

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

Section 1. The sum of \$21,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Stantec Consulting Services, Inc. for engineering and architectural services for the City Hall Generator Project, which shall be in addition to the amount of \$92,000 authorized by Ordinance No. 2013-68. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from Bond Ordinance No. 2012-452.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-214
Re: Agreement - LaBella Associates, D.P.C.,
Compressed Natural Gas Vehicle
Maintenance Facility Modifications

Transmitted herewith for your approval is legislation establishing \$67,000 as maximum compensation for an agreement with LaBella Associates, D.P.C., for engineering services related to the Central Vehicle Maintenance Facility (CVMF) Building 100, Compressed Natural Gas (CNG) Vehicle Maintenance Facility Modifications Project. The cost of the agreement will be financed from the 2013-14 Cash Capital allocation of the Department of Environmental Services.

LaBella Associates, D.P.C., will provide complete engineering planning and design services for the construction of modifications to the City's existing facility (CVMF Building 100), to comply with National Fire Protection Association and State code and safety regulations for CNG vehicle maintenance facilities. The City has recently initiated a conversion of its vehicle fleet from diesel fuel to cleaner burning CNG, and completed a green fleet fueling facility as part of the Multi-Agency Green Fleet Grant with Monroe County.

The consultant will provide mechanical, electrical and/or plumbing engineering design services at various stages of the project, including the condition survey and report, program development, schematic design, design development, contract documents, bid and award phase services, construction administration and commissioning services to observe and document the performance of the improvements.

LaBella Associates, D.P.C., was selected for design services through a request for proposal process, which is described in the attached summary.

Design will begin in Fall 2014, and it is anticipated that construction will begin in Spring 2015, with completion in Summer 2015. Estimated construction cost is \$250,000. The agreement will result in the creation/retention of the equivalent of 2.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-129

Ordinance No. 2014-214
(Int. No. 224)

Establishing maximum compensation for a professional services agreement for engineering services for the CVMF Building 100 Compressed Natural Gas Vehicle Maintenance Facility Modifications Project

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

Section 1. The sum of \$67,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and LaBella Associates, D.P.C for engineering services for the CVMF Building 100 Compressed Natural Gas Vehicle Maintenance Facility Modifications Project. The agreement may extend until three months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from the 2013-14 Cash Capital allocation of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-215
Re: Agreements - Structural Engineering
Services

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

<u>Company</u>	<u>Address</u>
Jensen/BRV Engineering, PLLC	1653 East Main Street, Rochester, 14609
KCI Engineering of New York, P.C.	One HSBC Plaza, 100 Chestnut Street, Suite 1110, Rochester, 14604
LaBella Associates, P.C.	300 State Street, Suite 201, Rochester, 14614
MRB Group Engineers, Architects, Surveyors, P.C.	The Culver Road Armory, 145 Culver Road, Suite 160, Rochester, 14620
T.Y. Lin International	255 East Ave, Rochester, 14604

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary, the departments using the services or from capital funds appropriated for specific projects. Similar agreements for structural engineering services have been in place since 2005. These services include: structural investigations of existing facilities as requested by the City, preparing contract documents for contracted maintenance work and providing inspection of that work during construction, and reviewing designs for specific construction projects.

Jensen/BRV Engineering, PLLC; KCI Engineering of New York, P.C.; LaBella Associates, P.C.; MRB Group Engineers, Architects, Surveyors, P.C. and T.Y. Lin International were selected for structural engineering services through a request for proposal process, which is described in the attached summary.

These agreements will provide for structural engineering services to be provided at specified unit prices. The selection of the company will be based on project specific proposals, type of services required, and the ability to perform the services within the time specified by the City.

The agreements will be for a term of three years.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-130

Ordinance No. 2014-215
(Int. No. 225)

Authorizing agreements for structural engineering services for construction and renovation

of City facilities

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for structural engineering services for construction and renovation of City facilities:

<u>Company</u>	<u>Address</u>
Jensen/BRV Engineering, PLLC	1653 East Main Street
KCI Engineering of New York PC	One HSBC Plaza, Suite 1110
LaBella Associates, D.P.C.	300 State Street #201
MRB Group	145 Culver Rd. Suite 160
T.Y. Lin International Group	255 East Avenue

Section 2. The agreements shall extend for a term of three years, and shall obligate the City to pay based on unit prices in an amount not to exceed the amount budgeted for each project, which shall be funded from the annual budget of the Department of Environmental Services or of the department which requests each project or from project capital budget appropriations. Unit prices may only be changed with the approval of the City Engineer.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-216
Re: Agreement- Bergmann Associates, P.C.,
Browncroft Neighborhood Street Lighting
Project

Transmitted herewith for your approval is legislation establishing \$90,000 as maximum compensation for an agreement with Bergmann Associates, P.C. for resident project representation (RPR) services for the Browncroft Neighborhood Street Lighting project. The agreement will be funded from the Cash Capital allocations of the Department of Environmental Services as follows: Prior Years' (\$20,200), 2012-13 (\$3,400) and 2013-14 (\$66,400).

This project consists of the installation of a new street lighting system including new concrete light poles, sidewalk access ramps to comply with the Americans with Disabilities Act, and the replacement of hazardous sidewalks in select areas. The additional capital costs for the purchase and instal-

lation of the concrete poles and fixtures are funded from Local Improvement Ordinance 1658. The project includes work on the following streets:

- Beresford Road (Blossom - Dorchester)
- Newcastle Road (Blossom - Browncroft)
- Corwin Road (Winton - east city line)
- Quentin Road (Browncroft - Merchants)
- Croydon Road (Blossom - Dorchester)
- Ramsey Park (Dorchester - Corwin)
- Dorchester Road (Winton - east city line)
- Windmere Road (Gramercy - east city line)
- Gramercy Park (Dorchester - Corwin)
- Yarmouth Road (Blossom - Dorchester)

Bids for construction of the project will be opened on July 1, 2014; the engineer's estimated cost is \$659,000. Contracts for the poles and lamps are in place for a total estimated construction cost including contingencies as shown in the table below:

<u>Work Categories</u>	<u>Cost</u>
Construction contract	\$ 659,000
RPR	90,000
Lamps and poles	353,000
Contingencies	<u>66,100</u>
Total	\$1,168,100

Bergmann Associates, P.C. was selected for RPR services through a request for proposal process, which is described in the attached summary.

Construction will begin in Summer 2014, with anticipated completion in Spring 2015. This project will result in the creation/retention of the equivalent of 12.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-131

Ordinance No. 2014-216
(Int. No. 226)

Establishing maximum compensation for resident project representation services for the Browncroft Neighborhood Street Lighting Project.

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

Section 1. The sum of \$90,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates, P.C. for resident project representation services for the Browncroft Neighborhood Street Lighting Project. The agreement may extend until three months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from \$20,200 of prior year Cash Capital, \$3,400 of 2012-13 Cash Capital and \$66,400 of 2013-14 Cash Capital allocations of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-217
Re: Amendatory Agreement - Bergmann Associates, P.C., Geographic Information System Services

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Bergmann Associates, P.C. The original agreement for \$50,000 was authorized in Ordinance No. 2011-106 for a maximum of two years for the provision of various geographic information system (GIS) services related to the City's street lighting program, and required after the acquisition of the remaining portion of the City's street lighting system from the Rochester Gas & Electric Corporation (Ordinance No. 2009-95). This amendment will extend the term for an additional two years through August 2016. No additional funding is required.

The GIS services are provided on a time and materials basis, and work was delayed in response to the planned City GIS Enterprise System. The City's GIS initiative is now advancing and it is anticipated that the street lighting related GIS work will be complete by August 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-217
(Int. No. 227)

Authorizing an amendatory agreement with Bergmann Associates, P.C.

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Bergmann Associates, P.C. for professional services related to the provision of graphic information services related to the City's street lighting program. The amendatory agreement shall extend the term of the agreement authorized by Ordinance No. 2011-106 by an additional two years through August 31, 2016.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-218
Re: Hazardous Sidewalk Appropriation

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$1,470,000 and the appropriation of the proceeds thereof to finance the replacement of various hazardous and failing sidewalks throughout the city.

The project consists of improving existing sidewalk conditions by removing and replacing, or where possible, repairing sidewalk flags at various locations within the City of Rochester.

The project will result in the creation/retention of the equivalent of 16 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-132

Ordinance No. 2014-218
(Int. No. 228, as amended)

Bond ordinance of the City of Rochester, New York authorizing the issuance of \$1,470,000 Bonds of said City to finance the replacement or repair of hazardous and failing sidewalks in the City

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of replacement or repair of hazardous and failing sidewalks in the City, including those sidewalks as may be identified for inclusion in the program by the City Engineer (the "Project") and on file in the office of the City Engineer. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,470,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,470,000 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,470,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,470,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section

1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 24. of the Law, is ten (10) years.

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

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

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

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

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the

foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-219
Re: Amendatory Agreement - Flour City Bagels, Mt. Hope Access Drive

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Flour City Bagel for additional drainage piping and structures associated with the Mt. Hope Access Drive public improvement project. This amendment will increase maximum compensation by \$22,000 to a total of \$205,000, funded from Bond Ordinance No. 2013-23.

The original agreement amount (\$183,000) was authorized via Ordinance No. 2013-24; subsequently, in Ordinance No. 2013-419, the authorized entity changed from the owner David L. Gandell, to the lessee, Flour City Bagels, LLC. During construction, Flour City Bagels' contractor found that modifications to their new storm drainage system were required to meet City Code. The additional costs are within the portion of the work to be City funded and the amendment is required to equitably compensate the lessee.

Phase I of the Mt. Hope Improvement Project included construction of a median between Rossiter Road and Elmwood Avenue to eliminate left-turns in and out of commercial driveways. In an effort to mitigate the reduction in customer convenience, the business owners most affected by the elimination of the left-turn access agreed to provide shared access through the rear portions of their parking lots. The City agreed to pay a portion of this construction cost and the business owners or lessees would be responsible for construction of the shared access due to the critical amount of site grading required for the overall project and the integration of the construction of the sites within a confined area.

The amendatory agreement will result in the creation/retention of the equivalent of .25 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-219
(Int. No. 229)

Authorizing an amendatory agreement for public improvements related to the Mt. Hope

Avenue Phase 2 Village District Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Flour City Bagels, LLC for the construction of public improvements associated with the shared access and parking on easement areas behind certain parcels along the east side of Mt. Hope Avenue between Elmwood Avenue and Fort Hill Terrace, as part of the Mt. Hope Avenue Phase II Village District Project. The amendatory agreement shall obligate the City to pay an amount not to exceed \$22,000, which shall be in addition to the amount authorized pursuant to Ordinance No. 2013-24.

Section 2. The amendatory agreement, shall be funded from Bond Ordinance No. 2013-23.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-220
Re: Agreement - Environmental Assessment and Remedial Services

Transmitted herewith for your approval is legislation authorizing an agreement with Barton & Loguidice for environmental assessment, investigation, and remedial phase services. Projects performed as needed under this unit rate agreement will be financed from the annual budgets of the departments using the services or from capital funds appropriated for specific environmental, construction and redevelopment projects.

Environmental site assessments are a prerequisite for properties that are involved in real estate transactions. Such assessments allow a prospective buyer to identify suspect environmental conditions, consider potential remediation costs during negotiations, plan for cleanup during redevelopment and avoid or limit liability for these costs.

Under the proposed agreement the following Phase I site assessment services will be provided:

1. Review of title and deed history records;
2. Examination of other public records, including aerial photographs, that may contain relevant environmental information;
3. Review by governmental agency (New York State Department of Environmental Conservation [NYSDEC], City of Rochester, Monroe County Department of Health, etc.);

- 4. Inspection of the property and observation of adjacent properties; and
- 5. Preparation of a report with recommendations based on the findings.

The City routinely performs site assessments prior to acquiring commercial and industrial properties. If requested by the City, additional environmental services will be provided which may include:

- 1. Sampling and laboratory analysis of air, soil, wastes, groundwater and surface waters;
- 2. Subsurface soil, bedrock, and geotechnical investigations;
- 3. Environmental data analysis, modeling, survey, and Geographic Information System/Global Positioning System (GIS/GPS) mapping;
- 4. Feasibility studies, analyses of remedial alternatives, and remedial cost estimating; and
- 5. Environmental planning, design, and implementation of remedial actions and pollution prevention/reduction measures.

Agreements with ten firms, all with offices in the City of Rochester, were authorized by City Council on April 24, 2012 per Ordinance No. 2012-147, based on a request for proposal issued by the Department of Environmental Services, Division of Environmental Quality. This legislation included authorization to enter into an agreement with Barton & Loguidice. Each agreement has a term of one year with provision for renewal for two additional one year terms. The initial agreement term for Barton & Loguidice expired in January 2014, and while it was the intention of both the City and Barton & Loguidice to extend this agreement for an additional term of one year, an amendment to extend the term was inadvertently not processed and the agreement expired.

The term of this agreement will be for one year. The agreement will allow Barton & Loguidice to continue to provide environmental assessment, investigation, and remedial phase services and continue its services related to the NYSDEC required cleanup and monitoring of soil and groundwater contamination at the City's Central Vehicle Maintenance Facility.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-133

Ordinance No. 2014-220
(Int. No. 230)

Authorizing an agreement for environmental services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Barton & Loguidice, D.P.C. for environmental assessment, investigation and remediation services as required by the City on an as needed basis.

Section 2. The agreement shall have a term of one year. The agreement shall provide for an assessment to be performed on an as needed basis, and shall establish a unit price to be paid for a particular assessment. The unit price may be adjusted during the second renewal term with the approval of the Manager of the Division of Environmental Quality or the City Engineer. The cost of said assessment shall be funded from the annual budget or from project appropriations.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-221
Re: Agreement - Center for Employment Opportunities, Inc., Job Training Program

Transmitted herewith for your approval is legislation authorizing an agreement with the Center for Employment Opportunities (CEO) to partner with the City in the implementation of a transitional job training and placement program. Participants in the program have criminal convictions, are currently under criminal justice supervision, and live in the City of Rochester.

CEO will provide a work crew comprised of six persons and one supervisor to the City for a period of twelve weeks, commencing on August 24, 2014. Any extension to the term of the agreement shall require the approval of City Council. The work crews shall perform agreed upon services and assignments as determined by City staff. CEO shall provide supervision of the crews. The City shall provide performance expectations and reviews of the work performed.

The amount of compensation for the agreement shall not exceed \$50,000. CEO will submit invoices to the New York State Department of Corrections and Community Supervision (DOCCS) for payment of the services provided, and the City shall reimburse DOCCS for the City's use of the CEO crews.

The funds for the agreement shall be paid from the 2014-15 Budget of the Department of Environmental Services. The term of the agreement will be for one year with the option for two one-year renewals.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-134

Ordinance No. 2014-221
(Int. No. 231)

Authorizing an agreement for employment and job training services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Center for Employment Opportunities, Inc. in an amount not to exceed \$50,000 for employment and job training services. The agreement shall have a term of one year with two optional one year renewals. The cost of said agreement shall be funded from the 2014-15 Budget of the Department of Environmental Services, and any renewal shall be funded from the annual budget of the Department of Environmental Services contingent upon its approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-222
Re: 2013-14 Budget Amendment -
Martin Luther King, Jr. Memorial
Park

Transmitted herewith for your approval is legislation amending the 2013-14 Budget by transferring \$400,000 from Contingency to Cash Capital to fund capital expenditures at Martin Luther King, Jr. Memorial Park.

The proposed increase to the Cash Capital allocation will fund additional, unanticipated mechanical work involving the restoration of the existing fountain, and other improvements, including signage for the renaming of the park and replacement of stolen lights. The estimated cost for the original scope of work was \$650,000; the additional work required brings the total estimated cost to \$1,045,000.

Construction at the park is anticipated to begin in fall 2014 with completion in spring 2015. The additional funding for this project results in the creation/retention of the equivalent of 4.3 full-time jobs.

The request for funds is being made now to allow time to complete the work prior to next summer's activities in the park, including the Party in the Park concert series. It is anticipated that a final, year-end amendment for the 2013-14 Budget will be introduced to Council in September, following the fiscal year close in the financial system.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-222
(Int. No. 232)

Amending the 2013-14 Budget to transfer funds from Contingency to Cash Capital

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

Section 1. Ordinance No. 2013-160, the 2013-14 Budget of the City of Rochester, as amended, is hereby further amended by transferring \$400,000 in funds from Contingency to Cash Capital to fund additional mechanical work and other improvements at Martin Luther King, Jr. Memorial Park.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-223 and
Ordinance No. 2014-224
Re: Durand Eastman Beach Bathhouse
Site Preparation and Improvements

Transmitted herewith for your approval is legislation related to Durand Eastman Beach Bathhouse Site Preparation and Improvements project. This legislation will:

1. Establish \$70,000 as maximum compensation for an agreement with LaBella Associates, D.P.C., Rochester, New York, for professional engineering design services;
2. Authorize the issuance of bonds totaling \$344,000 and appropriate the proceeds thereof to partially finance design and construction of the project; and
3. Appropriate \$310,000 from anticipated reimbursements from New York State, Department of State's Environmental Protection Fund (EPF) to finance a portion of the design and construction of the project.

The Durand Eastman Beach Bathhouse Site Preparation and Improvements project involves the design and construction of utilities infrastructure and site improvements to support the current temporary facilities and any future bathhouse. This project will install public water and sanitary sewer services to the beach and existing electrical service to the site will be evaluated and upgraded as needed. The cost of the agreement will be funded from the EPF grant (\$35,000) and the bond appropriated herein (\$35,000).

In July 2008, City Council authorized the application for the EPF grant totaling \$310,000, which required 100% local matching funds (Ord. No.

2008-269).

The City has operated Durand Eastman Beach as a public bathing beach since 2006; Monroe County Health Department has issued conditional permits based on the provision of temporary facilities and plans for permanent improvements to meet the requirements of the New York State Sanitary Code. The construction of an antimicrobial filter system to improve the quality of storm water flowing to the bathing beach was completed in 2013.

Design services will begin in spring 2014; it is anticipated that construction will begin in spring 2015, with scheduled completion in fall 2015. The project will result in the creation/retention of the equivalent of five full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-223
(Int. No. 233)

Establishing maximum compensation for a professional services agreement for engineering design services for the Durand Eastman Beach Bathhouse Site Preparation and Improvements Project and appropriating grant funds

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

Section 1. The sum of \$70,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and LaBella Associates, D.P.C for engineering design services for the Durand Eastman Beach Bathhouse Site Preparation and Improvements Project. The agreement may extend until three months after completion of a two year guarantee inspection of the Project. Said amount shall be funded by \$35,000 from the New York State Environmental Protection Fund grant for this project and \$35,000 from the bond ordinance to be issued for this project.

Section 2. The sum of \$310,000 is hereby appropriated to fund this project for design and construction from grant funds to be received for this project from the New York State Environmental Protection Fund.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-224
(Int. No. 234)

Bond Ordinance of the City of Rochester, New York authorizing \$344,000 bonds of said

City to finance the cost of construction of the Durand Eastman Beach Bathhouse Site Preparation and Improvements Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of water mains and sanitary sewers and related improvements at the Durand Eastman Beach Bath House (the "Project") described herein. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$654,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$344,000 in bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable, and \$310,000 in funds to be received by the City from the New York State Environmental Protection Fund.

Section 2. Bonds of the City in the principal amount of \$344,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$344,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

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

ture in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-225,
Ordinance No. 2014-226 and
Ordinance No. 2014-227

Re: Official Map Amendment and Agreement -
Portland Avenue Revitalization Project

Transmitted herewith for your approval is legislation related to the Portland Avenue Revitalization project. This legislation will:

- 1. Amend the Official Map by dedicating the

following parcel as public right-of-way for street purposes.

- 2. Establish \$164,000 as maximum compensation for an agreement with KCI Engineering of New York, P.C., Rochester, New York, for resident project representation (RPR) services and construction phase design services. The agreement will be funded from Bond Ordinance No. 2012-449 (\$126,000) and the water bond appropriated herein (\$38,000).
- 3. Authorize the issuance of bonds totaling \$340,000 and the appropriation of the proceeds thereof to partially finance Portland Avenue water improvements.

The Portland Avenue Revitalization project (Lux Street - Norton Street) consists of the following: new decorative street lighting system; banners on lighting pole arms; bump-outs at intersections for safer pedestrian crossing distances and traffic calming; special sidewalk treatments at the bump-outs; raised center median to address accidents at the curve; high visibility crosswalks; new on-street bicycle facilities and signage; temporary pavement striping; gateway features at the Norton Street and Portland Avenue intersection; and landscaping. A federally funded milling and resurfacing project will follow the beautification project and mill the pavement, install the permanent pavement striping and decorative crosswalks, replace hazardous sidewalks, replace broken curbs, and replace curb ramps that do not meet current Americans with Disabilities Act standards.

On April 23, 2014, City Council approved the acquisition of the parcel described below for this project, with the Official Map amendment to be presented to the City Planning Commission at its July 7, 2014 meeting (Ord. No. 2014-100). Minutes from that meeting will be forwarded to Council.

Address: 852-854 Portland Ave
Type: Corner-taking (for curb ramp)
Sq. Ft.: 10

Project construction is estimated at \$1,734,500 including street lighting, RPR and contingencies. The contract is to be awarded this summer. Construction will be funded as follows:

Project Acceleration Bond	
Ord. No. 2012-449	\$1,329,500
Water bond appropriated herein	340,000
Water Cash Capital	46,000
General Cash Capital	19,000
Total	\$1,734,500

Construction of Portland Ave will begin in fall 2014 with anticipated completion in spring 2015. The water improvements and traffic features required for this project will result in the creation/retention of the equivalent of 4.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-135

Ordinance No. 2014-225
(Int. No. 236)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$340,000 Bonds of said City to finance the reconstruction of water mains related to the Portland Avenue Revitalization Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of certain water mains related to the Portland Avenue Revitalization Project in the City (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$340,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$340,000 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$340,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$340,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2014-226
(Int. No. 237)

Amending the Official Map by dedicating a parcel as right of way

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

Section 1. Chapter 76 of the Municipal Code,

Official Map or Plan, as amended, is hereby further amended by dedicating for said street purposes a portion of the parcel known as a portion of 852-854 Portland Avenue, more particularly described as following parcel:

LEGAL DESCRIPTION OF LANDS TO BE ACQUIRED FOR STREET PURPOSES PART OF #852-854 PORTLAND AVENUE PART OF T.A. # 091.830-02-090

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 46, Township 14, Range 7 and being part of Lot 50 of the Griebel Tract, as filed in the Monroe County Clerk's Office in Liber 9 of Maps, Page 80 and being more particularly bounded and described as follows: Beginning at the intersection of the north ROW line of Lux Street (50' ROW) and the east ROW line of Portland Avenue (66' ROW), said intersection being the Point or Place of Beginning; thence

- 1) N 26° 06' 16" E, along said Portland Avenue ROW, a distance of 5.00 feet to a point; thence
- 2) S 34° 58' 49" E, through lands of Community Mutual, Inc., a distance of 4.84 feet to the said Lux Street ROW; thence
- 3) S 83° 56' 06" W, along said ROW line, a distance of 5.00 feet to the Point or Place of Beginning.

Hereby intending to describe a parcel of land containing 10± sq. ft., all as shown on a map entitled "Lands To Be Acquired For Street Purposes", dated February 14, 2014, prepared by Jacek M. Szymanski, P.L.S., City Surveyor.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-227
(Int. No. 238)

Establishing maximum compensation for resident project representation and construction phase design services for the Portland Avenue Revitalization Project

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

Section 1. The sum of \$164,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and KCI Engineering of New York, PC for resident project representation and construction phase design services for the Portland Avenue Revitalization Project. The agreement may extend until three months after completion of a two year guarantee inspection of the Project. Said amount shall be funded from \$126,000 from Bond Ordinance No.

2012-449 and \$38,000 from a Bond Ordinance for water mains to be authorized for this project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-228,
Ordinance No. 2014-229 and
Ordinance No. 2014-230
Re: Milling and Resurfacing Program

Transmitted herewith for your approval is legislation related to the Milling and Resurfacing Program. This legislation will:

- 1. Authorize the attached geometric changes for South Plymouth Avenue between Atkinson and South Fitzhugh Streets;
- 2. Change the bicycle traffic flow on Court Street between Chestnut Street and South Clinton Avenue from one-way traffic eastbound to one-way traffic eastbound with two-way bicycle traffic; and
- 3. Authorize the issuance of bonds totaling \$1,800,000 and appropriate the proceeds thereof to partially finance street milling and resurfacing improvements throughout the city.

The Milling and Resurfacing Program includes the milling and resurfacing of various city streets; providing spot sidewalk and curb repair, and pavement markings. The program improves the street system and extends the useful life of the city's streets. The 2014 program includes the construction of new median islands on South Plymouth Avenue and on Andrews Street. The list of streets planned for milling and resurfacing in 2014 is attached.

The geometric changes on South Plymouth Avenue comply with the City's Complete Streets Policy and encourage pedestrian traffic by installing curbed bump-outs to calm traffic and narrow the crossing distance at certain corners.

The change in bicycle traffic flow on Court Street from one-way to two-way will be established while maintaining the existing one-way eastbound motorized vehicle traffic flow. This is consistent with the Complete Streets Policy guidelines.

A public informational meeting was conducted on December 15, 2010 before the project was put on hold. An additional public meeting is being arranged for early July. The meeting minutes will be forwarded to Council. A public hearing on the pavement width changes is required.

Construction will begin in summer 2014, with anticipated completion in winter 2014. This project will result in the creation/retention of the equivalent

of 20 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment AN-136

Ordinance No. 2014-228
(Int. No. 239, as amended)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,800,000 Bonds of said City to finance the reconstruction of certain streets related to the 2014 Milling and Resurfacing Program

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of certain streets related to the 2014 Milling and Resurfacing Program in the City, including those streets as may be identified for inclusion in the Program by the City Engineer (the "Project") and on file in the office of the City Engineer. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,800,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,800,000 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,800,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,800,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20. of the Law, is fifteen (15) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes

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

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

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

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

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

Strikeout indicates deleted text, added text is underlined

Passed unanimously.

Ordinance No. 2014-229
(Int. No. 240)

Changing the bicycle traffic flow on Court Street from one-way eastbound to two-way bicycle traffic

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Court Street between Chestnut Street and South Clinton Avenue from one-way eastbound to one way eastbound with two-way bicycle traffic.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-230
(Int. No. 241)

Approving geometric changes to South Plymouth Avenue between Atkinson Street and South Fitzhugh Street

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

Section 1. The Council hereby approves the following changes in the pavement width of South Plymouth Avenue between Atkinson Street and South Fitzhugh Street:

Geometric Changes to South Plymouth Avenue

1. Pavement width changes on to South Plymouth Avenue between Atkinson Street and South Fitzhugh Street:

- a. Along the east curbline, a decrease from an existing 44 foot width to a proposed width of 37 feet (a narrowing of 7 feet) from 90 feet north of the center line of Atkinson Street to 74 feet north of the center line of Atkinson Street;
- b. Along the west and east curbline, a decrease from an existing 44 foot width to a proposed width of 29 feet (a narrowing of 7 feet on the east side and 8 feet on the west side) from 74 feet north of the center line of Atkinson Street to 58 feet south of the center line of Atkinson Street;
- c. Along the east curbline, a decrease from an existing 44 foot width to a proposed width of 37 feet (a narrowing of 7 feet) from 58 feet south of the center line of Atkinson Street to 88 feet south of the center line of Atkinson Street;
- d. Along the northeast curbline, a decrease from an existing 50 foot width to a proposed width of 44 feet (a narrowing of 6 feet) from 173 feet northwest of the cen-

ter line of South Fitzhugh Street to 156 feet north of the center line of South Fitzhugh Street;

- e. Along the southwest and northeast curbline, a decrease from an existing 50 foot width to a proposed width of 37 feet (a narrowing of 7 feet on the northeast side and 6 feet on the southwest side) from 156 feet northwest of the center line of South Fitzhugh Street to 82 feet northwest of the center line of South Fitzhugh Street;
- f. Along the northeast curbline, a decrease from an existing 52 foot width to a proposed width of 46 feet (a narrowing of 6 feet) from 82 feet northwest of the center line of South Fitzhugh Street to the center line of South Fitzhugh Street;
- g. Along the northeast curbline, a decrease from an existing 55 foot width to a proposed width of 47 feet (a narrowing of 8 feet) from the center line of South Fitzhugh Street to 72 feet southeast of the center line of South Fitzhugh Street.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-231
Re: Official Map Amendment -
Melville Street Group, 444
Webster Avenue

Transmitted herewith for your approval is legislation amending the Official Map by dedicating the following parcel as public right-of-way for the Melville Street Group Improvements Project:

Address: 444 Webster Ave
Type: Corner-taking for curb ramp
Sq. Ft.: 25.7

The Melville Street Group Improvements Project consists of Shafer Street, Berwyn Street, and Melville Street (Berwyn Street - Culver Road) and includes the following improvements: granite stone curbs; new driveway aprons; some new water services; new catch basins; replacement of hazardous sidewalks; replacement of curb ramps to meet Americans with Disabilities Act standards; street lighting improvements; street trees; and lawn restoration. In addition, Melville Street (Berwyn - Greeley Streets) and Shafer Street were reconstructed. City Council approved the acquisition of this parcel on June 18, 2013 (Ord. No. 2013-197).

These amendments will be presented to the City Planning Commission at its July 7, 2014 meeting; the meeting minutes will be forwarded to Council.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-137

Ordinance No. 2014-231
(Int. No. 235)

Amending the Official Map by dedicating a parcel as right of way

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by dedicating for said street purposes a portion of the parcel known as 444 Webster Avenue, more particularly described as following parcel:

LEGAL DESCRIPTION OF LANDS TO BE ACQUIRED FOR STREET PURPOSES PART OF #444 WEBSTER AVENUE PART OF T.A. #107.45-4-15

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being South part of Town Lot 49, and being more particularly bounded and described as follows: Beginning at the intersection of the southerly ROW line of Webster Avenue (49.5' ROW) and the westerly ROW line of Shafer Street (50' ROW), said intersection being the Point or Place of Beginning; thence

- 1) S 2° 28' 50" E, along said Right Of Way line of Shafer Street, a distance of 7.50 feet to a point; thence
- 2) N 72° 44' 15" W, a distance of 7.27 feet to a point on the said Right Of Way line of Webster Avenue; thence
- 3) N 51° 06' 50" E, along said Right Of Way line, a distance of 8.50 feet to the said westerly Right Of Way line of Shafer Street, being the Point or Place of Beginning.

Hereby intending to describe this parcel, containing 26 square feet, more or less, all as shown on a map entitled "Map Of Lands To Be Acquired For Street Purposes - SW Corner of Webster Avenue and Shafer Street", dated February 6, 2012, prepared by Jacek M. Szymanski, L.S., City Surveyor.

Being part of the same premises conveyed to Barbara & David Randolph by a deed dated December 2, 1996 and filed in Liber 8816 of Deeds, Page 401.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-232
Re: Authorizing a Traffic Flow Change - Mark Street, Westbound One-Way

Transmitted herewith for your approval is legislation authorizing a change in the direction of traffic flow on Mark Street between North Street and Hudson Avenue from one-way eastbound traffic to one-way westbound traffic.

The Mark Street westbound one-way is requested by the PUC Achieve Charter School in order to safely accommodate school bus operations at its new school location at the former St. Bridget's Church. Mark Street is a 22-foot wide one-way residential street with one-side parking. The school will be located on the north side of the street. The current eastbound one-way would not permit school buses to properly load and unload students in front of the school. Changing to one-way westbound will rectify this issue and ensure the safety of students during arrival and dismissal.

A petition with support from the required minimum 60% of residents was reviewed and verified by Department of Environmental Services staff. The change to westbound one-way will be reviewed by the City's Traffic Control Board at its July 15, 2014 meeting; meeting minutes will be forwarded to Council.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-138

Ordinance No. 2014-232
(Int. No. 242)

Changing the traffic flow on Mark Street from one-way eastbound to one-way westbound traffic

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Mark Street between North Street and Hudson Avenue from one-way eastbound to one-way westbound traffic.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember McFadden
July 22, 2014

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 243 - Authorizing an agreement for the 2014-15 Gun Involved Violence Elimination Program

Int. No. 244 - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$2,099,000 Bonds of said City to finance the costs of acquisition of new fire fighting apparatus for the City as amended

Int. No. 245 - Amending the 2014-15 Budget by appropriating funds for the operations of the GRANET program

The Public Safety, Youth & Recreation Committee recommends for consideration the following entitled legislation:

Int. No. 246 - Amending the 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, and 2013-14 Consolidated Community Development Plans and authorizing an agreement for the Southwest Youth Organization Project

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaul
Dana K. Miller
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-233
Re: Agreement - New York State Division
of Criminal Justice Services,
2014-15 GIVE Grant

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Criminal Justice Services (DCJS) for the receipt and use of \$413,500 from the 2014-15 Gun Involved Violence Elimination (GIVE) Grant, and amending the 2014-15 Budget of the Police Department by said amount.

This grant will build on the success of Operation IMPACT and support the continued work of a county-wide criminal justice taskforce to reduce violent crime in Rochester. GIVE strategies are exclusively focused on firearm-related crime, primarily shootings and homicides. Methods of reducing firearm violence will be empirically derived best-practices that focus on: violent dispute intervention and resolution; deterring access to illegal

firearms; and implementing offender-based tactics and place-based tactics. Taskforce priorities and activities are based on crime and crime response data. The grant includes \$390,000 in overtime but does not pay for associated fringe costs. The remaining \$23,500 will be used to purchase GPS trackers, supplies to support neighborhood watch groups, rental cars for undercover details, and training required by DCJS.

The term of this grant is July 1, 2014 through June 30, 2015. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-233
(Int. No. 243)

Authorizing an agreement for the 2014-15 Gun Involved Violence Elimination Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for funding for the 2014-15 Gun Involved Violence Elimination Program in the amount of \$413,500. The agreement shall be for a term from July 1, 2014 through June 30, 2015.

Section 2. The 2014-15 Budget of the Police Department is amended to increase the revenue estimates and appropriations by \$413,500, the amount of the grant.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-234
Re: Fire Apparatus Financing

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$2,099,000 and the appropriation of proceeds thereof to finance the purchase of firefighting apparatus.

The Fire Department periodically replaces firefighting and rescue apparatus based upon a combination of use and age. The two ladder trucks being replaced in kind are currently ten years old and respond to an average of 1,500 emergency calls each per year.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2014-234
(Int. No. 244, as amended)

Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$2,099,000 bonds of said City to finance the costs of acquisition of new fire fighting apparatus for the City

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of acquisition of new fire fighting apparatus for the City (the "Project") to be located at the firehouses at 1261 South Avenue and 1477 Dewey Avenue in the City. The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,099,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,099,000 bonds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$2,099,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$2,099,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.27 of the Law, is twenty (20) years.

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

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

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

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

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

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

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-235
Re: Appropriation of Forfeiture Funds -
GRANET Operations

Transmitted herewith for your approval is legislation appropriating \$200,000 from federal forfeited property revenues attributable to the Greater Rochester Area Narcotics Enforcement Team (GRANET), and amending the 2014-15 Budget of the Police Department to reflect this amount.

These funds will be used to support GRANET operations for the 2014-15 fiscal year. GRANET participates in joint investigations which include federal, state, and other local law enforcement agencies. The mission of GRANET is to achieve maximum coordination and cooperation among participating agencies, and bring to bear their combined resources to investigate mid- and upper-level narcotics and illegal weapons offenses; and to aggressively investigate career criminals in the greater Rochester/Monroe County area, utilizing both state and federal laws.

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

GRANET will use asset forfeiture funds for operational expenses, including communications, electronic surveillance, confidential funds and vehicle rentals for undercover operations, parking, supplies, and training. The proposed expenditures conform to the Attorney General's Guidelines for Seized and Forfeited Property (March 1994). Salaries and overtime for participants will continue to be paid by each officer's respective agency.

GRANET is a multi-jurisdictional team comprised of local and federal agencies. As a participant of the team, the City administers GRANET's equitable share of federal forfeiture funds, and keeps a separate accounting for these funds. The undesignated balance in GRANET's forfeiture fund prior to this transfer is estimated at \$237,900; however, any balance above \$350,000 will be distributed quarterly to participating agencies, including the City. This will be the first appropriation of GRANET's forfeiture funds during 2014-15.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-235
(Int. No. 245)

Amending the 2014-15 Budget by appropriating funds for the operations of the GRANET program

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

Section 1. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$200,000, which amount is hereby appropriated from funds realized from seized and forfeited assets to fund the operations of the Greater Rochester Area Narcotics Enforcement Team (GRANET).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-236
Re: Amending the 2004-05, 2005-06, 2006-07, 2007-08,
2008-09, 2009-10, 2010-11, 2011-12, 2012-13,
2013-14 and 2014-15 Consolidated Community
Development Plans and Authorizing an Agreement

Transmitted herewith for your approval is legislation amending the 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14 and 2014-15 Consolidated Community Development Plans (Con Plans) and authorizing an agreement. This legislation will:

1. Transfer a total of \$250,660 in unexpended and unappropriated funds from the following program lines to the Neighborhood Aquatics Program of the General Community Needs allocation for each year as follows:
 - A. From the Improve the Housing Stock and General Property Conditions allocation:

PY Year	Amount	Ord. No.	Program
2006-07	\$12,350.29	2003-215	Parks/Playgrounds
2007-08	\$12.50	2008-058	Neighborhood Playground Improvements
2007-08	\$8,366.40	2008-110	Neighborhood Recreation Facility
Total	\$20,729.19		

B. From the General Community Needs allocation:

PY Year	Amount	Ord. No.	Program
2004-05	\$7,146.56	2009-361	Job Creation/Youth Development
2004-05	\$37.93	2004-244	Teen City
2005-06	\$834.11	2010-055	Bldg Trans Jobs
2005-06	\$14,376.68	2009-361	Job Creation/Youth Development
2006-07	\$31.36	2006-336	Bush Mango Dance
2006-07	\$174.15	2009-358	City at Peace
2006-07	\$16,993.19	2009-361	Job Creation/Youth Development
2006-07	\$6,200.00	2010-369	Prime
2006-07	\$10,000.00	2010-443	Right Move Boxing
2006-07	\$2.13	2006-120	Rochester Fatherhood
2006-07	\$361.15	2010-240	SOOP
2006-07	\$400.00	2010-340	SW Youth
2007-08	\$461.80	2007-205	Adolescent Pregnancy Prevention
2007-08	\$4,623.14	2008-236	City at Peace
2007-08	\$5,521.41	2007-356	Family Talk
2007-08	\$2,482.94	2008-108	Little Buddies
2007-08	\$2,811.53	2008-243	MCC Nat'l Youth Sports Camp
2007-08	\$2,584.76	2007-256	Teen Parent Support
2007-08	\$1,203.02	2007-356	Teen Potential
2008-09	\$1,885.66	2008-432	Borinquen Dance
2008-09	\$10,000.00	2009-084	Elite Basketball
2008-09	\$41.97	2008-281	Leaders Inst School #44
2008-09	\$1,107.36	2012-054	Parent Leadership
2008-09	\$398.94	2009-219	SOOP
2008-09	\$1,131.87	2008-432	Wise Guys
2008-09	\$3.63	2008-432	Youth News Team
2009-10	\$782.72	2009-219	SOOP
2009-10	\$15,000.00	2009-439	Wise Guys
2009-10	\$1,317.00	2009-439	Youth News Team
2009-10	\$10,000.00	2009-146	Job Creation/Youth Development
2009-10	\$32,142.56	2010-058	Neighborhood Aquatics
2010-11	\$1,000.00	2010-340	Star Program
2010-11	\$1,206.00	2010-443	Youth News
2011-12	\$26,470.56	2011-211	Job Creation/Youth Development
2012-13	\$10,203.12	2012-182	Employment Opportunities
2012-13	\$22,993.56	2012-182	Job Creation/Youth Development
2013-14	\$18,000.00	2013-188	Job Creation/Youth Development
Total	\$229,930.81		

2. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth which may have changed prior to the date of this ordinance;

3. Appropriate the transferred amounts from each of the following years' Con Plans for the Neighborhood Aquatics Program of the General Community Needs allocation for implementation of the program; and

Year	Amount
2004-05	\$ 7,184.49
2005-06	15,210.79
2006-07	46,512.27
2007-08	28,067.50
2008-09	14,569.43
2009-10	59,242.28
2010-11	2,206.00
2011-12	26,470.56
2012-13	33,196.68
2013-14	18,000.00
Total	\$250,660.00

Establish \$30,000 as maximum compensation for an agreement with the Center for Teen Empowerment for the Southwest Youth Organizing Project. The cost of this agreement will be funded from the General Community Needs allocation of the 2014-15 Con Plan.

This project is listed in the Con Plan as the “Northeast Youth Organizing Project”; however, a change is requested due to financial constraints. Since the City’s support is only a portion of the total cost of this project, and the Center for Teen Empowerment has been unable to raise enough funding to operate the program in both areas, the funding will be used to continue the program in the southwest.

The Center for Teen Empowerment will hire twelve youth from the southwest area of the city to implement youth initiatives, including activities and events for youth to improve the community in the southwest area of the city. This is the fourth year of funding. The most recent agreement for these services was approved via Ordinance No. 2013-205.

Project descriptions and budgets are attached.

A public hearing on the Consolidated Plan amendments is required.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AN-139

Ordinance No. 2014-236
 (Int. No. 246)

Amending the 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, and 2013-14 Consolidated Community Development Plans and authorizing an agreement for the Southwest Youth Organizing Project

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

Section 1. The 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, and 2013-14 Consolidated Community Development Plans are hereby amended to change the use of funds as follows:

1. Transfer a total of \$250,660 in unexpended and unappropriated funds from the program lines below, to the Neighborhood Aquatics allocation of the General Community Needs allocation as follows:
 - A. From the Improve the Housing Stock and General Property Conditions allocation:

PY Year	Amount	Ord #	Program
2006-07	\$12,350.29	2003-215	Parks/Playgrounds
2007-08	\$12.50	2008-058	Neighborhood Playground Improvements
2007-08	\$8,366.40	2008-110	Neighborhood Recreation Facility
Total	\$20,729.19		

- B. From the General Community Needs allocation:

PY Year	Amount	Ord #	Program
2004-05	\$7,146.56	2009-361	Job Creation/Youth Development
2004-05	\$37.93	2004-244	Teen City
2005-06	\$834.11	2010-055	Bldg Trans Jobs
2005-06	\$14,376.68	2009-361	Job Creation/Youth Development
2006-07	\$31.36	2006-336	Bush Mango Dance
2006-07	\$174.15	2009-358	City at Peace
2006-07	\$16,993.19	2009-361	Job Creation/Youth Development
2006-07	\$6,200.00	2010-369	Prime
2006-07	\$10,000.00	2010-443	Right Move Boxing
2006-07	\$2.13	2006-120	Rochester Fatherhood
2006-07	\$361.15	2010-240	SOOP
2006-07	\$400.00	2010-340	SW Youth
2007-08	\$461.80	2007-205	Adolescent Pregnancy Prevention
2007-08	\$4,623.14	2008-236	City at Peace
2007-08	\$5,521.41	2007-356	Family Talk
2007-08	\$2,482.94	2008-108	Little Buddies
2007-08	\$2,811.53	2008-243	MCC Nat'l Youth Sports Camp

PY Year	Amount	Ord #	Program
2007-08	\$2,584.76	2007-256	Teen Parent Support
2007-08	\$1,203.02	2007-356	Teen Potential
2008-09	\$1,885.66	2008-432	Borinquen Dance
2008-09	\$10,000.00	2009-084	Elite Basketball
2008-09	\$41.97	2008-281	Leaders Inst School #44
2008-09	\$1,107.36	2012-054	Parent Leadership
2008-09	\$398.94	2009-219	SOOP
2008-09	\$1,131.87	2008-432	Wise Guys
2008-09	\$3.63	2008-432	Youth News Team
2009-10	\$782.72	2009-219	SOOP
2009-10	\$15,000.00	2009-439	Wise Guys
2009-10	\$1,317.00	2009-439	Youth News Team
2009-10	\$10,000.00	2009-146	Job Creation/Youth Development
2009-10	\$32,142.56	2010-058	Neighborhood Aquatics
2010-11	\$1,000.00	2010-340	Star Program
2010-11	\$1,206.00	2010-443	Youth News
2011-12	\$26,470.56	2011-211	Job Creation/Youth Development
2012-13	\$10,203.12	2012-182	Employment Opportunities
2012-13	\$22,993.56	2012-182	Job Creation/Youth Development
2013-14	\$18,000.00	2013-188	Job Creation/Youth Development
Total	\$229,930.81		

The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth which may have changed prior to the date of this ordinance. The following amounts are hereby appropriated from each of the following years' Consolidated Community Development Plans, Neighborhood Aquatics Program of the General Community Needs allocation for implementation of the program.

Year	Amount
2004-05	\$ 7,184.49
2005-06	15,210.79
2006-07	46,512.27
2007-08	28,067.50
2008-09	14,569.43
2009-10	59,242.28
2010-11	2,206.00
2011-12	26,470.56
2012-13	33,196.68
2013-14	18,000.00
Total	\$250,660.00

Section 2. The 2014-15 Consolidated Community Development Plan is hereby amended to re-allocate the \$30,000 item in the 2014-15 Consolidated Plan for the "Northeast Youth Organizing Project", to the "Southwest Youth Organizing Project". The Mayor is hereby authorized to enter into an agreement with The Center for Teen Empowerment for the Southwest Youth Organizing Project. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$30,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs Allocation of the 2014-15 Community Development Block Grant as amended herein.

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

Section 4. The ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Spaul
July 22, 2014

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 248 - Establishing maximum compensation for an agreement for the Rochester Fringe Festival

Int. No. 254 - Authorizing an agreement for the ROC the Park Concert Series

The following entitled legislation is being held in Committee:

Int. No. 247 - Establishing maximum compensation for an agreement for the Greentopia Festival for 2014

Respectfully submitted,
Elaine M. Spaul (Abstained on Int. No. 248)
Adam C. McFadden
Jacklyn Ortiz
Dana K. Miller
ARTS & CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-237
Re: Agreement - Rochester Arts Festival, Inc., 2014 Rochester Fringe Festival

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for an agreement with Rochester Arts Festival, Inc., d/b/a the Rochester Fringe Festival. The cost of this agreement will be funded from the 2014-15 Budget of the Bureau of Communications.

With over 50,000 attendees at 350 performances taking place at 28 venues in 2013, the second First Niagara Rochester Fringe Festival (FNRF) was one of the most successful Fringe Festivals in the nation last year, as well as one of Rochester's most successful festivals.

The FNRF is a multi-disciplinary visual and performing arts festival that features international national, and local visual and performing arts organizations, theatre and dance companies, and colleges. The festival showcases artists' works in theatre, comedy, visual arts, family entertainment, music, dance, physical theatre, street theatre, musical theatre, opera, poetry, and literature.

The 2014 festival will be held September 19 through 28. It will include a similar number of shows and venues as last year, with all location situated in the City of Rochester. Approximately 120, or 30%, of these performances are free to the public.

City funds will help to defray costs for a variety of free, family-friendly performances and festival spaces, including:

- Circus Orange, an outdoor spectacle by the world-renowned acrobatic and pyrotechnic company whose performance will kick off the festival at Martin Luther King, Jr. Park at Manhattan Square;
- Two days of events on Gibbs Street, including music, a children's sing-along film, and a street chalk art installation; and
- Outdoor films in the Spiegel Garden, located on the corner of Main and Gibbs Streets.

The Spiegel Garden will feature a Spiegeltent, one of the few remaining lavish traveling arts tents in

the world.

The First Niagara Rochester Fringe Festival uniquely celebrates Rochester's rich visual and performing arts culture. Its presence enhances the city's reputation as a respected destination for the arts and enables Rochester to join the ranks of other world-class cities with Fringe Festivals, such as New York City, Philadelphia, Toronto, Chicago, Los Angeles, and Edinburgh, Scotland.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-237
(Int. No. 248)

Establishing maximum compensation for an agreement for the Rochester Fringe Festival

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and Rochester Arts Festival, Inc., d/b/a the Rochester Fringe Festival, for the 2014 First Niagara Rochester Fringe Festival. Said amount shall be funded from the 2014-15 Budget of the Bureau of Communications.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes President Scott, Councilmember Haag, McFadden, Miller, Ortiz, Palumbo, Patterson - 7.

Nays - None - 0.

Councilmember Spaul abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-238
Re: Agreement - Carlton Wilcox LIVE, ROC the Park Concerts at MLK Park

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with Ronald Carlton Wilcox, d/b/a Carlton Wilcox LIVE, Rochester, New York, for booking regional artists and producing the 2014 ROC the Park Concerts. The cost of this agreement will be financed from the Rochester Events Network trust fund.

The City will also cover the cost of Rochester Police Department traffic control and pedestrian assistance, production costs for stage, sound, lighting, and site equipment up to an amount not to exceed \$30,000. A \$5 admission fee (except ages 12 and under, who are free) is planned for each concert. This will result in a revenue component to

the City to defray costs.

The original vendor, who was approved by Council in June via Ordinance No. 2014-194, has informed the City that he is unable to fulfill his contractual obligations for personal reasons and has asked to withdraw. Since the concert has already been advertised and offers a community benefit, we would like to proceed as planned.

These concerts will provide low-cost arts and entertainment downtown for the entire community. They will take place at the Martin Luther King, Jr. Memorial Park at Manhattan Square and will feature outstanding regional and local talent as follows:

<u>Concert</u>	<u>Date</u>
An Evening of Neo Soul	Saturday, July 26
A Motown Tribute	Friday, August 22
A Day of Gospel	Saturday, September 6

Carlton Wilcox LIVE will provide talent booking, site management, marketing, food and beverage vending coordination, concert security and clean-up services for the concerts. Estimated attendance at each concert is 1,000 to 1,500 people.

Ronald Carlton Wilcox has been in the music industry for 20 years. He is an experienced music director and producer, having run a number of public events for WDKX including the 40th Anniversary Celebration and the 2013 Holiday Concert at the Kodak Center for Performing Arts.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-140

Ordinance No. 2014-238
(Int. No. 254)

Authorizing an agreement for the ROC the Park Concert Series

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

Section 1. The amount of \$30,000 is hereby established as the maximum compensation to be paid to Ronald Carlton Wilcox, d/b/a Carlton Wilcox LIVE, for a professional services agreement for booking and production services for the 2014 ROC the Park Concert Series. The cost of said agreement shall be funded by \$30,000 from the Rochester Events Network Trust Fund, and said amount is hereby appropriated for this purpose. The agreement shall also commit the City to provide public safety services and stage, sound, lighting, and site equipment with a value up to an amount not to exceed \$30,000 for the concert series and said costs shall be funded from the 2014-15 Budget of the Bureau of Communications.

Section 2. The agreement shall have a term of no more than one year.

Section 3. The agreement shall contain such

additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Spaul moved to discharge Int. No. 247 from Committee.

The motion was seconded by Councilmember Haag.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-239
Re: Agreement - Friends of the GardenAerial, Inc., Greentopia Festival 2014

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for an agreement with Friends of the GardenAerial, Inc. (Principals Lewis Stess and Michael Philipson), Rochester, New York, for the production of Greentopia Festival 2014 during September. The cost of this agreement will be financed from the 2014-15 Budget of the Bureau of Communications.

Greentopia, now in its fourth year, presents a comprehensive event with messages of environmental sustainability and resiliency through a variety of forums including music, film, visual projections, dance, photography, art and design. The 2014 festival features various entertainment and educational forums during its two-day "Green Block Party" on September 12 and 13, which will be located at and around Browns Race and High Falls. Up to 20 different free musical presentations and events will showcase classical, jazz, Americana and world music genres. The green vendor expo will return and feature sustainable products, vendors, and more.

New festival elements this year include a projection show on the walls of the High Falls gorge and a photography exhibit showcasing the gorge's beauty. A unique collaboration with Rochester Gas and Electric will result in "Energy Alley," a showcase of companies, schools, and organizations that are creating sustainable energy in our area.

Friends of the GardenAerial, Inc. is a non-profit, grass-roots community organization founded in 2011. The project mission is to preserve natural and historic resources and transform High Falls and the Upper Gorge into a world-class public green space through stewardship, innovative design, and community outreach.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-239
(Int. No. 247)

Marvin L. Stepherson
*Christopher F. Tuttle

Establishing maximum compensation for an agreement for the Greentopia Festival for 2014

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and Friends of the GardenAerial, Inc., for production of Greentopia Festival 2014. Said amount shall be funded from the 2014-15 Budget of the Bureau of Communications.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:24 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

**REGULAR MEETING
AUGUST 19, 2014**

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 9

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:

- Environmental Services
 - *Dudley A. Davis
 - *Frank A. Merulla
 - *Gregory R. Pennell
 - *John H. Timmerman
- Recreation and Youth Services
 - *Earlene A. Barney
 - *Annie L. Pride
- Emergency Communications
 - Robert H. Collins
- Finance Department
 - *George Loiacono
 - *Gary J. Tomaselli
- Neighborhood & Business Development
 - *Robert J. Cherniss
 - *Brenda J. Dunham
 - *Carolyn A. Houston
- Fire Department
 - *Mark G. Scialdone
- Library
 - *Elizabeth J. Barry
 - *Marilee A. Gilliland
- Police Department

By Councilmember Conklin
August 19, 2014

**Did not attend meeting.*

APPROVAL OF THE MINUTES

By Councilmember Spaul

RESOLVED, that the minutes of the Regular Meeting of July 22, 2014 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges 4150-14

The Council submits Disclosure of Interest Forms from Councilmember Haag on Int. Nos. 277 and 278, Councilmember McFadden on Int. Nos. 279 and 280, and Vice President Miller on Int. Nos. 261, 262, 279 and 280.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Palumbo presented 450 signatures opposing Port of Rochester development. Petition No. 1701.

Councilmember Palumbo presented 425 signatures urging Council to include roof repairs in the home repair program. Petition No. 1702

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 255 - Authorizing cancellation of taxes and charges

Int. No. 256 - Establishing maximum compensation for an amendatory professional services agreement for real estate title services

Int. No. 257 - Authorizing a lease agreement with the State University of New York College at Brockport Rochester Educational Opportunity Center

Int. No. 258 - Resolution authorizing an exception to the debt limit for Rochester City School District purposes

Int. No. 259 - Bond Ordinance of the City of Rochester authorizing the issuance of \$5,292,000 bonds of said City to finance the installation of artificial turf, lighting and related improvements to athletic facilities at Joseph C. Wilson Foundation Academy and the Franklin Educational Campus for the Rochester City School District

Respectfully submitted,
Carla M. Palumbo
Jacklyn Ortiz
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-240
Re: Cancellation or Refund of
Erroneous Taxes and Charges

Council Priority: Deficit Reduction and
Long-Term Financial Stability

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$101,680.19.

A tax foreclosure deed transferring 58 properties to the City of Rochester was recorded on May 28, 2014 in Liber 11396, page 1. Under Section 9-143 of the City Charter, all taxes, assessments, fees and other charges which were a lien against the parcels as of the April 11, 2014 auction date are to be cancelled. The total amount of the 2015 taxes and fees being cancelled for the 58 properties is \$97,480.19. Related to the tax foreclosure deed, there are 144 administrative cancellations totaling \$85,739.21.

The property located at 142 Rohr Street was in a hearing process when the defaulted amount was added to the 2015 tax bill. The adjourned hearing date was May 29, 2014 and the ticket was reduced to \$300, which the owner has paid.

If these cancellations are approved, total cancellations thus far for 2014-15 will be as follows:

	<u>Accounts</u>	<u>Amounts</u>
City Council	59	\$101,680.19
Administrative	153	88,671.21
Total	212	\$190,351.40

These cancellations represent 0.076% of the taxes receivable as of July 1, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-141

Ordinance No. 2014-240
(Int. No. 255)

Authorizing cancellation of taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

(A) A Tax Foreclosure Deed transferring 58 properties to the City of Rochester was recorded on May 28, 2014 in Liber 11396; page 1. Under Section 9-143 of the Charter, all taxes, assessments, fees and other charges which were a lien against the parcels as of the April 11, 2014 auction date are to be cancelled. The total amount of the 2015 taxes and fees being cancelled for the 58 properties is \$97,480.19.

SBL #	CLASS	ADDRESS	TAX YEAR	AMOUNT	
				CANCELLED	SUBTOTAL
106.350-0002-039.000/0000	RX	H 382 FIRST ST	2015	1,010.67	1,010.67
091.810-0001-006.000/0000	OA	H 109 FAIRBANKS ST	2015	1,013.37	1,013.37
120.440-0002-055.000/0000	OW	H 198 ATKINSON ST	2015	1,016.69	1,016.69
105.660-0002-007.000/0000	PP	H 100 ANGLE ST	2015	1,027.53	1,027.53
106.230-0001-058.000/0000	QS	H 454 AVE A	2015	1,049.89	1,049.89
120.350-0001-002.000/0000	IQ	H 365 MAPLE ST	2015	1,065.70	1,065.70
090.760-0001-016.000/0000	QO	H 48 NORTHVIEW TER	2015	1,094.82	1,094.82
106.310-0004-020.000/0000	KE	H 529 CLIFFORD AV	2015	1,098.90	1,098.90
120.670-0001-059.000/0000	TF	H 12 ARNETT BLVD	2015	1,103.60	1,103.60
106.210-0002-034.001/0000	NA	H 50 HARRIS ST	2015	1,110.12	1,110.12
120.600-0002-053.000/0000	MM	H 231 CHAMPLAIN ST	2015	1,134.77	1,134.77
105.280-0001-012.000/0000	LI	H 50 AVE C	2015	1,134.99	1,134.99
107.450-0001-021.000/0000	LM	H 673 BAY ST	2015	1,138.02	1,138.02
091.640-0003-059.000/0000	VK	H 50 MOULSON ST	2015	1,206.05	1,206.05
091.720-0003-001.000/0000	LQ	H 269 WEAVER ST	2015	1,222.28	1,222.28
105.820-0003-044.001/0000	QS	H 401 ORANGE ST	2015	1,222.71	1,222.71
091.810-0003-013.000/0000	NT	H 923 AVE D	2015	1,233.02	1,233.02
107.780-0001-008.000/0000	RQ	H 226-228 BRECK ST	2015	1,244.58	1,244.58
106.240-0002-055.001/0000	QK	H 134 THOMAS ST	2015	1,254.96	1,254.96
106.250-0003-015.000/0000	NV	H 27 ST JACOB ST	2015	1,280.71	1,280.71
091.650-0003-069.000/0000	WN	H 84-86 KOSCIUSKO ST	2015	1,293.86	1,293.86
120.680-0002-080.000/0000	PT	H 177 COLUMBIA AV	2015	1,317.44	1,317.44
105.570-0004-004.000/0000	OR	H 201 MYRTLE ST	2015	1,330.68	1,330.68
120.260-0001-001.000/0000	HY	H 19 RIES ST	2015	1,331.72	1,331.72
106.600-0002-035.000/0000	OA	H 18 SIXTH ST	2015	1,343.50	1,343.50
105.830-0001-048.002/0000	TR	H 234 ORCHARD ST	2015	1,380.43	1,380.43
091.780-0001-039.000/0000	UW	H 151 HOLLENBECK ST	2015	1,400.34	1,400.34
121.450-0001-038.000/0000	PV	H 286 TREMONT ST	2015	1,429.51	1,429.51
091.680-0003-029.000/0000	VA	H 112 JACKSON ST	2015	1,457.79	1,457.79
106.300-0002-008.000/0000	MZ	H 36 MEAD ST	2015	1,469.60	1,469.60
106.210-0003-045.001/0000	PB	H 248 CONKEY AV	2015	1,508.57	1,508.57
121.610-0001-035.000/0000	MS	H 38 BARTLETT ST	2015	1,542.25	1,542.25
120.520-0003-033.000/0000	ME	H 156 DR SAMUEL MCCREE WAY	2015	1,555.31	1,555.31
107.780-0001-007.000/0000	QX	H 222-224 BRECK ST	2015	1,565.37	1,565.37
106.330-0002-005.000/0000	MB	H 232 ALPHONSE ST	2015	1,567.59	1,567.59
107.770-0001-009.000/0000	RY	H 155-157 BRECK ST	2015	1,573.14	1,573.14
091.740-0004-015.001/0000	RO	H 115 SKYLANE DR	2015	1,573.49	1,573.49
107.610-0002-052.000/0000	NZ	H 430-432 GARSON AV	2015	1,593.19	1,593.19
091.610-0001-076.000/0000	SC	H 9 EMANON ST	2015	1,595.84	1,595.84
106.310-0002-016.000/0000	MQ	N 667-669 JOSEPH AV	2015	1,629.17	1,629.17
106.490-0002-032.000/0000	OW	H 32 CONCORD ST	2015	1,673.13	1,673.13
106.600-0002-051.000/0000	MM	H 30 SHORT ST	2015	1,719.37	1,719.37
106.500-0002-048.001/0000	RJ	N 164-166 CENTRAL PK	2015	1,725.59	1,725.59
091.700-0002-035.000/0000	PE	H 1329 N CLINTON AVE	2015	1,740.91	1,740.91
105.630-0003-011.000/0000	LG	H 213 CAMPBELL PK	2015	1,756.53	1,756.53
106.350-0001-083.000/0000	QJ	H 1240 CLIFFORD AV	2015	1,793.00	1,793.00
091.690-0001-050.000/0000	PS	H 36 CUTLER ST	2015	1,873.90	1,873.90
105.500-0002-042.001/0000	MQ	H 59-61 FELIX ST	2015	1,896.04	1,896.04
091.790-0003-076.000/0000	XC	N 844 JOSEPH AV	2015	1,919.59	1,919.59
120.480-0003-022.000/0000	MX	N 107 THORNDALE TER	2015	1,937.12	1,937.12
091.690-0001-019.000/0000	TN	H 533 CONKEY AV	2015	2,025.24	2,025.24
106.490-0002-054.000/0000	RS	N 41-43 CONCORD ST	2015	2,866.15	2,866.15
091.790-0001-056.000/0000	UM	N 473 AVE D	2015	2,866.72	2,866.72
106.520-0003-021.000/0000	LM	N 849-851 N GOODMAN ST	2015	3,148.49	3,148.49
120.760-0001-059.000/0000	TE	N 702-706 JEFFERSON AV	2015	3,557.52	3,557.52
107.370-0001-037.000/0000	RA	N 988 N GOODMAN ST	2015	3,659.94	3,659.94
105.670-0001-052.000/0000	PF	N 252-254 LYELL AV	2015	4,174.11	4,174.11
106.650-0003-074.002/0000	UM	N 340 NORTH ST	2015	5,024.67	5,024.67
				Subtotal	97,480.19

(B) A Tax Foreclosure Deed transferring 58 properties to the City of Rochester was recorded on May 28, 2014 in Liber 11396; page 1. Under Section 9-143 of the Charter, all taxes, assessments, fees and other charges which were a lien against the parcels as of the April 11, 2014 auction date are to be cancelled. The total amount of the 2015 taxes and fees being cancelled for the 58 properties is \$97,480.19.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Cancelled</u>	<u>Subtotal</u>
106.43-2-56	H	142 Rohr Street	2014	\$4,200	\$4,200
Grand Total					\$101,680.19

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-241
Re: Amendatory Agreement - Independent
Title Agency, LLC, Real Estate Title
Services

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing \$250,000 as maximum compensation for an amendatory agreement with Independent Title Agency, LLC for real estate title services. The cost of the agreement will be funded from the 2014-15 Budget for Undistributed Expenses.

The original agreement with Independent Title Agency was authorized via Ordinance No. 2012-192 for a term of one year with two, one-year renewals. This amendment increases maximum annual compensation for 2014-15 from \$80,000 to \$250,000. This increase is necessary to implement the planned increase in tax foreclosure activities by the City.

The City is embarking on a policy change with respect to tax lien sales and foreclosure activity. A shift is being made from reliance on lien sales as the primary collection activity to a hybrid model of lien sales coupled with increased foreclosure activity. In the 2014-15 fiscal year, we estimate that the number of properties subject to foreclosure action will triple due to this shift. The new policy will enable the City to more aggressively address the management of distressed properties while enhancing collections.

To accomplish this increased tax foreclosure work, it is necessary to increase title search activity by Independent Title Agency, which currently performs these services for the City. This increase was planned for in the 2014-15 Budget and funds were included in the Undistributed Expenses budget.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-241
(Int. No. 256)

Establishing maximum compensation for an amendatory professional services agreement for real estate title services

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

Section 1. The sum of \$250,000, or so much thereof as may be necessary, is hereby established as the maximum annual compensation to be paid for a professional services agreement between the City and Independent Title Agency, LLC, for continued provision of real estate title services, amending the existing agreement which was authorized by Ordinance No. 2012-192 for a term of one year, with two one-year renewal options. The amendment shall increase the maximum compensation from \$80,000 to \$250,000. Said amount shall be funded from the 2014-15 Budget for Undistributed Expense.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-242
Re: Lease Agreement - SUNY College
At Brockport - Rochester Educational
Opportunity Center

Council Priority: Support the Creation of
Effective Educational Systems; Jobs and
Economic Development; Public Safety

Transmitted herewith for your approval is legisla-
tion establishing \$5,000 as maximum annual compen-
sation for a two-year lease agreement with
SUNY College at Brockport - Rochester Educa-
tional Opportunity Center (REOC), located at 161
Chestnut Street, to house the City of Rochester's
Career Pathways to Public Safety Program. The
cost of this agreement will be funded from the
2014-15 and 2015-16 Budgets of Undistributed
Expenses, contingent upon Council approval of the
latter budget.

The Career Pathways to Public Safety Program is a
collaborative effort between the City of Rochester,
REOC and the Rochester City School District to
increase the number of at-risk youth becoming
candidates for the following uniformed depart-
ments: Police, Fire and Emergency Communica-
tions.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-142

Ordinance No. 2014-242
(Int. No. 257)

**Authorizing a lease agreement with the State
University of New York College at Brockport
Rochester Educational Opportunity Center**

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

Section 1. The Mayor is hereby authorized to
enter into an agreement with the State University of
New York College at Brockport Rochester Educa-
tional Opportunity Center for the lease of class-
room space at 161 Chestnut Street to be used for
the City's Career Pathways to Public Safety Pro-
gram. The agreement shall extend for a term of
two years.

Section 2. The lease agreement shall obligate
the City to pay an amount not to exceed \$5,000 in
rent for the term of September, 2014 through June,
2015, and \$5,000 in rent for the term of September,
2015 through June, 2016. Said amount shall be
funded from the 2014-15 and 2015-16 Budget for
Undistributed Expense, conditioned upon approval
of the subsequent budget.

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

Section 4. This ordinance shall take effect im-
mediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-36 and
Ordinance No. 2014-243
Re: Debt Limit Exception - Rochester
City School District

Council Priority: Support the Creation
of Effective Educational Systems

Transmitted herewith for your approval is legisla-
tion relating to the capital improvement program of
the Rochester City School District (RCSD). The
legislation will:

1. Authorize a one-time exception to the RCSD
2014-15 debt limit in the amount of
\$5,292,000; and
2. Authorize the issuance of bonds for
\$5,292,000 and the appropriation of the
proceeds thereof to finance the installation of
artificial turf fields, lighting and related im-
provements at Joseph C. Wilson Foundation
Academy and the Franklin Educational Cam-
pus.

For cities with dependent school districts, the New
York State Constitutional Debt Limit is established
at 9.0% of the five-year average full valuation of
taxable real property. As specified in the City
Charter, Rochester splits this limit into 5.5% for the
City and 3.5% for the RCSD. The City further
imposes a limit on borrowing by setting the amount
of allowable debt at the amount of principal re-
deemed on outstanding debt within a fiscal year.
For the RCSD, the 2014-15 debt limit is
\$16,025,000, and it is anticipated that the RCSD
will request an issuance of bonds for that amount in
January 2015. The City's self-imposed debt limit is
far below the State Constitutional Debt Limit which
would allow the RCSD to borrow up to an addi-
tional \$51,699,568.

At its meeting of July 24, 2014, the RCSD Board of
Education approved the installation of artificial turf
fields, lighting and related improvements at Joseph
C. Wilson Foundation Academy at 200 Genesee
Street and the Franklin Educational Campus (Res.
No. 2014-15).

The State Education Department (SED) will fund
98% of this building renovation project through
Building Aid. Importantly, SED has sent a letter to
RCSD stating that there will be zero impact to the
City's Maintenance of Effort with the RCSD as a
result of authorizing this debt limit exception; the
RCSD will use its Bullet Aid to finance the 2%
balance of the Building Aid used for this project
and no local support will be required.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2014-36
(Int. No. 258)

Resolution authorizing an exception to the debt limit for Rochester City School District purposes

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

Section 1. The sum of \$5,292,000 is hereby approved as an exception to the 2014-15 Debt Limit for Rochester City School District purposes. This action is being taken to fund the installation of artificial turf, lighting and related improvements to athletic facilities at Joseph C. Wilson Foundation Academy and the Franklin Educational Campus. It is anticipated that most of this cost will be reimbursed by New York State.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Ordinance No. 2014-243
(Int. No. 259)

Bond ordinance of the City of Rochester authorizing the issuance of \$5,292,000 bonds of said City to finance the installation of artificial turf, lighting and related improvements to athletic facilities at Joseph C. Wilson Foundation Academy and the Franklin Educational Campus for the Rochester City School District

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction and installation of artificial turf, lighting and related improvements to athletic facilities at Joseph C. Wilson Foundation Academy and the Franklin Educational Campus public school buildings within the City (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$5,400,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$5,292,000 bonds of the City, \$108,000 in aid anticipated to be received from the State of New York and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$5,292,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$5,292,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific objects or purposes for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a. 19 (c) of the Law, is fifteen (15) years.

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

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

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

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding

contesting such validity, is commenced within twenty (20) days after the date of such publication, or

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

Section 8. The proceeds of these bonds shall be appropriated to pay the cost of such purpose on the condition subsequent that State aid paid to the City or the City School District with respect to such bonds applied solely to meet debt service on such bonds shall not invalidate any obligations issued pursuant to this ordinance or any appropriation of proceeds of such bonds made pursuant to this ordinance.

Section 9. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

By Councilmember Palumbo
August 19, 2014

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 260 - Authorizing the sale of real estate

Int. No. 261 - Authorizing the sale of real estate to Rochester Land Bank Corporation

Int. No. 262 - Authorizing a lease agreement with Rochester Economic Development Corporation as amended

Int. No. 263 - Resolution approving appointments to the Rochester Environmental Commission

Int. No. 264 - Authorizing a professional services agreement with LaBella Associates P.C., for a High Falls Pedestrian Access Improvement Study

Int. No. 265 - Authorizing parking agreements as amended

Int. No. 266 - Authorizing an agreement for construction of public improvements for the Brooks Landing Revitalization Project as amended

Int. No. 267 - Authorizing a professional services agreement with SWBR Architects, for an Inner Loop Development Planning Study

Int. No. 284 - Authorizing the sale of real estate at 60 Browns Race and the settlement of legal claims

Respectfully submitted,
Carla M. Palumbo
Dana K. Miller (Did not on Int. Nos. 260 through 264)

Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-244
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

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

The first two properties were sold by request for proposal. The buyer will develop the first property as a mixed-use structure. The buyer of the second property will develop the structure as a two-family dwelling.

The next property is a vacant lot, which is being sold to its adjacent owner who will combine the lot with their current parcel.

The next six properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to their adjacent owners who will combine their respective lots with their existing properties.

The first year projected tax revenue for these nine properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$7,241.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-143

Ordinance No. 2014-244
(Int. No. 260)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the sale of the following parcels of improved property by request for proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Use</u>	<u>Price</u>	<u>Purchaser</u>
821 N. Clinton Av	106.38-1-31.1	88x120	Row (Detached)	\$45,000	Burgos Properties LLC*
35 Wellesley St	121.59-1-55	46x60	Two Family	\$67,350	Olive Tree Properties-Upper Monroe LLC**

*Principal: Roberto Burgos, Owner and Sole Proprietor

**Principals: Rachel D. Wiener, Officer; Andrew C. Wiener, Officer

Section 2. The Council hereby approves the negotiated sale of the following parcel of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
712 Bay St	107.37-3-45	40x130	5,200	\$450	Josephine Debruyne

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
218 Atkinson St	120.44-4-63	40x44	1,637	William Edwards
846 Exchange St	121.69-3-40	34x100	3,340	Steven Kraft
74 Myrtle Hill Pk	105.58-3-45	40x20	800	John Acker
117 Parsells Av	107.61-1-16	37x149	5,587	Samuel J. Costanza
42 Rockland Pk	120.51-4-56	24x88	3,025	Bonita Bees
50 Rockland Pk	120.51-4-54	33x84	2,568	Bonita Bees

Section 4. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-245
Re: Sale of Real Estate - Rochester
Land Bank Corporation

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the sale of up to six City-owned properties to the Rochester Land Bank Corporation (Land Bank) for redevelopment into affordable housing. The properties will be rehabilitated and sold to low-income owner-occupants through the HOME Rochester program using a portion of a Community Revitalization Initiative (CRI) grant awarded by the New York State Office of the Attorney General.

The City acquired the six properties through tax foreclosure auction. The Land Bank is authorized under the New York Land Bank Act to utilize a trump bid at tax foreclosure auctions in order to purchase a property for the amount of the opening bid set by the City (i.e., the total amount of all City tax claims and fees) regardless of any bid from a third party. The Land Bank did not exercise the trump bid for any of the six properties herein, either because they were foreclosed prior to the formation of the Land Bank, or because they had not been reviewed for the Home Rochester program prior to this year's foreclosure auction.

The Attorney General's CRI grant requires that the Land Bank pay no more than fair market value. Thus, the purchase price will be set at the lesser of the appraised value or the amount by which the Land Bank could have acquired them using the trump bid. The authority to utilize the trump bid option applies only to Land Bank purchases at a foreclosure auction, and does not extend to the purchase of City-owned properties that the City has acquired through foreclosure. Council authorization is needed to allow the Land Bank to acquire properties at the trump bid price subsequent to the City's foreclosure. Appraisals of the properties were prepared by James A. LeGrett, Midland Appraisal Associates, and Stephen V. Ferrara, Pogel Schubmehl and Ferrara LLC.

The properties to be conveyed are as follows:

<u>Address</u>	<u>Appraised Value</u>	<u>Trump Bid</u>	<u>Sale Price</u>
36 Cutler Street	\$11,000	\$ 3,687.16	\$ 3,687.16
112 Jackson Street	10,000	3,344.69	3,344.69
16 Marlow Street	5,000	3,839.12	3,839.12
48 Northview Terrace	7,000	12,981.30	7,000.00
347 Randolph Street	20,000	3,190.14	3,190.14
37 Wendell Street	7,000	4,950.45	4,950.45
Total	\$60,000	\$31,992.86	\$26,011.56

With the exception of 36 Cutler Street, all of the properties are single-family residences. The home at 36 Cutler Street was converted from a single to a two-family, and will be converted back to a single-family.

Although a preliminary review indicates that each of the properties meet the Home Rochester criteria for a property that can be redeveloped into a quality, affordable home on a cost-effective basis, the Land Bank reserves the right to decline any property whose rehabilitation cost is ultimately deemed infeasible.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-144

Ordinance No. 2014-245
(Int. No. 261)

Authorizing the sale of real estate to Rochester Land Bank Corporation

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

Section 1. The Council hereby approves the negotiated sale of the following parcels for the prices set forth below to the Rochester Land Bank Corporation to be used for affordable housing:

<u>Address</u>	<u>S.B.L.</u>	<u>Sale Price</u>
36 Cutler St	091.69-1-50	\$3,687.16
112 Jackson St	091.68-3-29	\$3,344.69
16 Marlow St	105.80-1-68	\$3,839.12
48 Northview Terr	090.76-1-16	\$7,000.00
347 Randolph St	092.77-1-08	\$3,190.14
37 Wendell St	107.45-3-15	\$4,950.45

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Miller abstained because of a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2014-246

Re: Lease Agreement - REDCO, 448
Smith Street

Council Priority: Deficit Reduction and
Long-Term Financial Stability

Transmitted herewith for your approval is legislation authorizing an agreement with Rochester Economic Development Corporation (REDCO) for the lease of space in the REDCO-owned facility at 448 Smith Street (also known as the Maguire Building) which is adjacent to the soccer stadium. The City will provide annual lease payments of \$1.00 to REDCO and will be responsible for all associated carrying costs including taxes, insurance and utilities.

Three separate areas of the facility will be leased. Area One is approximately 8,990 square feet and currently houses the Rhinos' offices and team area; this area is currently leased through December 2022. Area Two is a storage area of approximately 10,559 square feet. Area Three is approximately 5,265 square feet; both latter areas are currently used by the City Department of Environmental Services for storage.

The term of the lease for Areas Two and Three will be from January 1, 2014 - December 31, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-145

Ordinance No. 2014-246
(Int. No. 262, as amended)

Authorizing a lease agreement with Rochester Economic Development Corporation

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Rochester Economic Development Corporation (REDCO) for the lease of space in the REDCO-owned facility at 448 Smith Street (also known as the Maguire Building). The lease shall obligate the City to provide annual

lease payments of \$1.00 to REDCO and the City shall be responsible for all associated carrying costs including taxes, insurance, and utilities. This lease agreement shall not affect the existing lease agreement for a portion of the facility known as "Area One" which was authorized pursuant to Ordinance No. 2012-96.

Section 2. The lease shall have a term of two years from January 1, 2014 through December 31, 2015.

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

Section 4. This ordinance shall take effect immediately.

New text is underlined

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Miller abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-37
Re: Membership Appointments -
Rochester Environmental Commission

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation confirming the appointments of Katherine M. Premo and Robert W. Schellinger to the Rochester Environmental Commission (REC). Both Ms. Premo and Mr. Schellinger will be filling long-time vacancies on the REC.

Ms. Premo currently works for Stantec as an Environmental Scientist and has a B.S. Degree in Geoscience and an M.S. Degree in Environmental Science. Mr. Schellinger is currently the Chief Designer with Lonza Specialty Ingredients and has over forty years of experience in industrial plant design and construction.

If appointed, each will serve a three-year term which will expire on July 31, 2017.

Resumes for Ms. Premo and Mr. Schellinger are available for review in the City Clerk's office.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2014-37
(Int. No. 263)

Resolution approving appointments to the

Rochester Environmental Commission

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

Section 1. The Council hereby approves the appointment of Katherine M. Premo to the Rochester Environmental Commission for a term that shall expire July 31, 2017.

Section 2. The Council hereby approves the appointment of Robert W. Schellinger to the Rochester Environmental Commission for a term that shall expire July 31, 2017.

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-247
Re: Agreement - LaBella Associates,
P.C., High Falls Pedestrian Access
Improvement Study

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$72,000 as maximum compensation for an agreement with LaBella Associates, P.C., Rochester, New York, for consultant services to complete a High Falls Pedestrian Access Improvement Study. This agreement will be funded from an \$80,000 grant from the New York State Office of Parks, Recreation and Historic Preservation (OPRHP).

The New York State Regional Economic Development Council (Finger Lakes) awarded the OPRHP grant to the City in January 2013, after City Council authorized the application for and receipt of said grant via Ordinance No. 2012-267.

The purpose of this project is to complete a planning and design study of potential public access improvements into and through the High Falls District and Genesee River Gorge. The study will include the proposed GardenAerial project and other adjacent public infrastructure and waterfront access improvements. It will examine public infrastructure improvements for the east side terminus of the Pont de Rennes pedestrian bridge at Cataract Street, how access into the river gorge from High Falls should be established, how High Falls can be more directly connected to downtown through river-edge trails, and what access improvements should be made to other district assets including the City's existing park on the east side of the gorge near the Upper Falls on St. Paul Street.

Nine proposals for consultant services were received from local, state and national firms who responded to a request for proposals (RFP) that was posted on the City website and the New York State Contract Reporter website for six weeks. Addi-

tionally, the RFP was mailed to 35 local planning, engineering and design firms. Based on the review of consultant qualifications, prior work experience, knowledge of the City of Rochester and overall approach to the project, the consultant team of LaBella Associates was selected.

The total project cost is \$107,000. This amount includes an in-kind City match of approximately \$27,000, which will be provided through staff services from the Department of Neighborhood and Business Development and the Department of Environmental Services, as well as \$8,000 of grant funding reimbursable to the City for staff costs, if necessary. Under the agreement, LaBella Associates will work with a steering committee of City department staff, High Falls property owners, representatives of Friends of the GardenAerial, and other downtown stakeholders. Study completion is anticipated by June 30, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-146

Ordinance No. 2014-247
(Int. No. 264)

Authorizing a professional services agreement with LaBella Associates P.C. for a High Falls Pedestrian Access Improvement Study

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

Section 1. The sum of \$72,000, or so much thereof as may be necessary, is hereby established as the maximum compensation to be paid for a professional services agreement with LaBella Associates P.C., for a High Falls Pedestrian Access Improvement Study. Said amount shall be funded by \$72,000 from grant funds received from the New York State Office of Parks, Recreation and Historic Preservation for this project. The agreement shall be for a term of one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-248
Re: Agreements - Cox Historic Lofts, LLC and Sibley Redevelopment Limited Partnership, Parking at City Facilities

Council Priority: Creating and Sustaining a Culture of Vibrancy Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to parking agreements for the redevelopment of the Cox Building at 36 St. Paul Street and the Sibley Building at 228 East Main Street. This legislation will:

1. Authorize an agreement with Cox Historic Lofts, LLC (or an entity controlled by each of the managing members: Roger Rosen, Robert Lubin, Martin Zukerman and Harvey Krasner) for up to 130 parking passes at the Mortimer Street Garage at the standard residential rate for a term of thirty years with one, ten-year option for renewal;
2. Authorize an agreement with Sibley Redevelopment Limited Partnership for up to 250 monthly parking passes at the Mortimer Street Garage at the standard monthly rate for a term of ten years; and
3. Authorize an agreement with Sibley Redevelopment Limited Partnership for the lease of a vacant City-owned surface parking lot located at 101-103 Franklin Street, and 98 and 106 Pleasant Street, for a monthly rent of \$2,000 for a term of ten years with two five-year options for renewal.

The Cox Building project is the renovation of an historic structure located at 36-48 St. Paul Street into first floor retail space and 81 loft apartments. This agreement will support the parking needs of this important downtown project. The project was awarded a \$1,000,000 Restore New York Grant by the Empire State Development Corporation (Ord. No. 2008-48) and the name of the grantee was amended via Ordinance No. 2013-311. Financial restructuring has delayed the project in the past; now construction is anticipated to begin in fall 2014.

Sibley Redevelopment Limited Partnership will be undertaking major renovations of the Sibley building for approximately 197 residential units, commercial, retail and restaurant uses. With the predevelopment phase largely complete, Phases I and II (residential, office and retail uses) are slated to begin December 2014. The most recent legislation related to the project is Ordinance No. 2013-66, which authorized a lease agreement and associated development of the Police Department's recently established Downtown Substation within the Sibley building. Sibley Redevelopment Limited Partnership anticipates that the parking demand for the building will be over 1,000 spaces when completed. The partnership has proposed meeting this new demand by the creation of 200 spaces in the basement of the Sibley Building, and the utilization of 376 spaces in the St. Joseph's Parking Garage, 250 spaces in the Mortimer Street Garage and 85-90 spaces in the vacant City-owned surface lot at Franklin and Pleasant Streets.

The tenants of the Sibley building will pay the standard established rates in the Mortimer Street Garage. The City-owned surface lot at Franklin and Pleasant Streets is currently unused, in a state of disrepair, and will need to be resurfaced and

expanded by 10,600 sq. ft. to accommodate 85-90 spaces. The lot was closed by the City several years ago due to the lack of demand. Sibley will improve, maintain and operate the lot at its own expense. The monthly lease value was established by an independent appraisal (Kevin Bruckner, MAI, CCIM, Bruckner, Tillett, Rossi, Cahill & Associates).

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-147

Ordinance No. 2014-248
(Int. No. 265, as amended)

Authorizing parking agreements

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

Section 1. The Mayor is hereby authorized to enter into a parking agreement with Cox Historic Lofts, LLC (or an entity controlled by each of the managing members of said LLC - Roger Rosen, Robert Lubin, Martin Zukerman, and Harvey Krasner) for up to 130 parking passes at the Mortimer Street Garage at the standard residential rate for a term of thirty years with one ten year option for renewal.

Section 2. The Mayor is hereby authorized to enter into an agreement with Sibley Redevelopment Limited Partnership for up to ~~250~~ 400 monthly parking passes at the Mortimer Street Garage at the standard monthly rate for a term of ten years with two ten-year options for renewal.

Section 3. The Mayor is hereby authorized to enter into an agreement with Sibley Redevelopment Limited Partnership for the lease of a vacant City-owned surface parking lot located at 101-103 Franklin Street, 98 Pleasant Street, and 106 Pleasant Street for a monthly rent of \$2,000 for a term of ten years with two five-year options for renewal.

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

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-249
Re: Agreement - Brooks Landing
Revitalization Project, The Flats
At Brooks Landing

Council Priority: Jobs and Economic

Development; Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing a reimbursement agreement in an amount not to exceed \$60,000 with an LLC formed, or to be formed, by Ronald Christenson (the "Developer") for the construction of a connecting public amphitheater/stair between the Flats at Brooks Landing private development project and the adjacent public promenade in Genesee Valley Park (GVP). The reimbursement agreement will be funded from 2013-14 Cash Capital allocation of the Department of Neighborhood and Business Development.

City Council Ordinance Nos. 2012-98, 2012-200, 2012-295 and 2012-296 previously authorized agreements for the Flats at Brooks Landing development project. The project is currently under construction with the student housing/restaurant structure scheduled for completion in August 2014.

The Flats at Brooks Landing private development project and the adjacent Brooks Landing Phase II Public Improvements Project were jointly submitted in November 2011 to the New York State Office of Parks, Recreation and Historic Preservation/State Historic Preservation Office (OPRHP/SHPO) for review under an existing Memorandum of Agreement associated with the GVP parkland alienation originally required to make lands available for the development project. At the time that the project was reviewed by OPRHP/SHPO, three design alternatives for the amphitheater/stair were submitted. Since then, the City has submitted a preferred alternative to OPRHP/SHPO for their review and comment.

The total cost for design and construction of the public amphitheater/stair is estimated to be \$175,000. The Developer will fund the remaining balance of costs beyond the City's reimbursement agreement of up to \$60,000.

With the Developer already mobilized on site and the public amphitheater/stair being integrated with the private Flats development project, construction would not be feasible or timely under a public bidding process. As an improvement on City-owned property, however, the project requires prevailing wage rates.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the Director of Planning and Zoning, as lead agency, has determined that the proposed project and actions will not result in any significant impacts. A negative declaration has been issued.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-148

Ordinance No. 2014-249
(Int. No. 266, as amended)

Authorizing an agreement for construction of public improvements for the Brooks Landing Revitalization Project

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

Section 1. The Mayor is hereby authorized to enter into an agreement with a limited liability company to be formed by Ronald Christenson (the "Developer") for construction of a public amphitheatre in the space between the Flats at Brooks Landing development project and the public promenade in Genesee Valley Park. The agreement shall be for a term of one year.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$60,000. The cost of the agreement shall be funded from the 2013-14 Cash Capital allocation of the Department of Neighborhood and Business Development.

Section 3. The agreement shall contain such other terms as the Mayor deems to be appropriate. The Mayor is authorized to enter into an amendment of an existing maintenance agreement with the Developer and to accept and grant any easements necessary to construct and maintain the improvements authorized herein.

Section 4. This ordinance shall take effect immediately.

New text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-250
Re: Agreement - SWBR Architects,
Inner Loop Development Planning
Study

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

Transmitted herewith for your approval is legislation establishing \$9,000 as maximum compensation for an agreement with SWBR Architects for consultant services for completion of an Inner Loop Redevelopment Planning Study. The cost of this agreement will be funded from the 2014-15 Budget of the Department of Neighborhood and Business Development.

The term of the agreement will be for up to three months. While an agreement of this amount would not normally require Council approval, it exceeds the \$10,000 threshold in combination with other existing contracts with SWBR.

The Inner Loop East Project will create approximately 9.4 acres of development-ready land by filling the Inner Loop and will help reestablish vital connections between a resurgent downtown and the vibrant East End, Park Avenue, and Monroe Ave-

nue neighborhoods. The project offers the City enormous economic development opportunities and the ability to reshape and rebrand the area in a comprehensive way. The consultant will provide the necessary design, visioning, and stakeholder consultation to ensure that the redevelopment of the Inner Loop maximizes this potential and reflects the needs and desires of the community.

The study deliverables will include case studies and a feasibility analysis for potential redevelopment options, design and branding guidelines, detailed visioning and mapping documents, and a summary of stakeholder and partner consultation. The consultant will also help prepare materials for the upcoming request for proposal document that will be issued for the new development parcels.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-149

Ordinance No. 2014-250
(Int. No. 257)

Authorizing a professional services agreement with SWBR Architects for an Inner Loop Development Planning Study

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

Section 1. The sum of \$9,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement with SWBR Architects, for an Inner Loop Development Planning Study. Said amount shall be funded by \$9,000 from the 2014-15 Budget of the Department of Neighborhood and Business Development. The agreement shall be for a term of three months.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-251
Re: Sale, Lease, Repair and Maintenance
of the High Falls Complex

Transmitted herewith for your approval is legislation related to the sale and lease of the High Falls Complex including 60 Brown's Race (the Brown's Race Market), 74 Brown's Race (Waterworks Building), 36 Brown's Race (the Refuse Parcel) and repair and maintenance of 38 Brown's Race (the Triphammer Forge archeological park). This legislation will:

1. Authorize the sale by negotiation of the Brown's Race Market at 60 Brown's Race to Metro Falls Development, LLC (principal, Ben Kendig) in settlement of legal claims and other considerations for a cost of \$7,945.
2. Authorize the Mayor to enter into an agreement with Metro Falls Development, LLC to repair and stabilize the Triphammer Forge mill wheel and historic mill pit located at 38 Brown's Race.
3. Authorize the Mayor to enter into a maintenance agreement with Metro Falls Development, LLC for the Triphammer Forge observation deck, mill wheel and historic mill pit at 38 Brown's Race for a term of ten years with two five-year options for renewal.
4. Authorize the lease of the refuse parcel located at 36 Brown's Race to Metro Falls Development, LLC for a term of ten years with two five-year options for renewal. The property shall be leased at no cost in exchange for the tenant providing maintenance of the Triphammer Forge located at 38 Brown's Race. 36 Brown's Race will continue to be used as the dumpster location for Brown's Race Market building.
5. Authorize a five-year purchase option for the sale of the Waterworks Building located at 74 Brown's Race for a cost of \$360,000. The purchase price is in consideration of the purchaser's completion of the repair and stabilization of the Triphammer Forge located at 38 Brown's Race, similarly valued at \$360,000.
6. Authorize a five-year maintenance and lease agreement with Metro Falls Development, LLC for the Waterworks Building located at 74 Brown's Race. The cost of the lease will be \$1.00 in consideration of the tenant maintaining the Urban Cultural Park Visitor Center (High Falls Interpretive Center) on the first floor of the building.
7. Authorize the granting and acceptance of any easements for public access to the gorge overlook terrace at the eastern property lines of 60-74 Brown's Race. The consideration noted in Section 1 may be adjusted for necessary easements.

The City began revitalization efforts of the Brown's Race Historic District in the 1980s. The project included right-of-way improvements, renovation of buildings for a museum, events center and restaurant (the High Falls Complex), construction of a new parking garage, creation of a park and enhancement of an archeological ruin. The district was renamed High Falls and rebranded as an entertainment district shortly thereafter. The City of Rochester has been subsidizing the operation of the High Falls Complex since its opening.

Mr. Kendig is the owner of several properties in the district including 4-18 Commercial Street (High Falls Building), 208 Mill Street (Parazin Building)

and 34 Brown's Race. He entered into a 40-year lease with the City for 40 Commercial Street per Ordinance No. 2000-151. In 2012, the City terminated the lease early due to safety concerns of the gorge wall beneath the leased space. An independent appraisal was prepared to value the damages owed to Mr. Kendig for early termination of the lease. Metro Appraisal Associates valued the damages owed by the City at \$655,055.

Mr. Kendig proposed purchase of the Brown's Race Market in lieu of the payment by the City for 40 Commercial Street. Specifically, the proposal includes:

60 Brown's Race - Brown's Race Market

The Brown's Race Market at 60 Brown's Race consists of two attached structures with a combined area of 38,962 sq. ft., containing a banquet facility, La Luna restaurant, a second restaurant and a bar that are not currently in operation, and meeting space. The property being conveyed comprises a land area of .71 acre. The property was appraised on May 1, 2013 by an independent appraisal (Jay Loson, MAI, Midland Appraisal) with an established value of \$680,000. The developer will invest approximately \$1,114,000 in the property to create commercial office space, two residential apartments and relocate La Luna restaurant to the front of the building. The following credits will be applied to the purchase price as follows:

Appraised value	\$680,000
Lease termination - 40 Commercial St.	659,055 (credit)
Roof repair - 40 Commercial St.	<u>13,000 (credit)</u>
Purchase payment to City	\$ 7,945

38 Brown's Race - Triphammer Forge

The Triphammer Forge is an archeological ruin encompassing an 1816 basement room that housed the massive water wheel, an observation deck, and rebuilt water wheel. The site is in a state of disrepair. The City has estimated the required repairs to cost \$364,000. Metro Falls Development, LLC has agreed to repair the wheel and site at their own cost with the understanding that the value of the repair would be applied to the option and purchase price of 74 Brown's Race, and both buyer and seller agree that the value to be applied will be \$360,000. The developer will also maintain the archeological site on behalf of the City in exchange for lease of the refuse parcel. The annual value of the maintenance services is \$7,500.

36 Brown's Race - Refuse Parcel

This parcel contains a dumpster pad, dumpster and screening fence. Metro Falls Development, LLC will lease this parcel for a period of ten years with two five-year options for renewal. The parcel is required for trash collection for the Brown's Race Market. The annual lease value of 36 Brown's Race, based on an independent appraisal, is \$420. The property was appraised on May 1, 2013 by an independent appraisal (Jay Loson, MAI, Midland Appraisal).

74 Brown's Race - Waterworks Building

The Waterworks building is a 12,500 square foot building housing the Urban Cultural Park Visitors Center (High Falls Interpretive Center) and second floor vacant space (former art gallery). The property is encumbered by a New York State Office of Parks, Recreation and Historic Preservation covenant restricting the sale of the property until February 2019. The developer has proposed a purchase option to acquire the property upon the termination of the covenant. The purchase price was established by an independent appraisal and is \$360,000 (Jay Loson, MAI, and Midland Appraisal). The value of the Triphammer Forge repairs will be applied to the purchase of 74 Brown's Race. Metro Falls Development, LLC has agreed to maintain the entire Waterworks property in exchange for a lease of the second floor of the building. The Rochester Public Library and the City Historian's office have agreed to operate the High Falls Interpretive Center, as approved per Ordinance No. 2013-273.

Once acquired, Metro Falls Development, LLC will renovate the property for a mix of residential and office uses. The City will work with the developer to determine whether the Interpretive Center should be retained in any form, or moved to a new location.

Public Access Easement

The City will retain a public access easement along a portion of the rear terrace, adjacent to the Genesee River Gorge, for public viewing of the High Falls and Genesee River. The easement dimensions and value have not yet been finalized. The value of the easement may be applied as a credit towards the purchase price of 60 Brown's Race, but will not exceed the total owed to the City.

The project sources and uses of funds for Phase I (Brown's Race Market and Triphammer repair) are as follows:

<u>Sources</u>	
Acquisition	\$ 680,000
Construction	750,000
Soft costs	80,000
Triphammer repair	364,000
Total	<u>\$1,874,000</u>
<u>Uses</u>	
Credits	\$ 672,055
Bank	300,000
REDCO*	500,000
Cash equity	401,945
Total	<u>\$1,874,000</u>

* REDCO loan is not yet approved. Proposed terms include a three-year loan with a 1% interest rate secured by a standby letter of credit in favor of REDCO.

Because of the restricted cash flow of the project during the first five years of the project, the developer has requested that a Payment In Lieu Of Taxes (PILOT) Agreement be considered that includes a fixed \$10,000 annual payment. The City's PILOT review committee has endorsed this request.

It is anticipated that the project will create five

construction jobs and twenty permanent jobs.

Metro Falls Development, LLC a/k/a Benton Kendig was selected as developer for the property without the usual request for proposal for a number of reasons, including his demonstrated experience and competency in the completion of previous projects; financial capacity; willingness to assume maintenance responsibilities; and agreement to release the City from liability for losses incurred in an agreement related to 40 Commercial Street.

The conveyance is subject to the completion of the SEQR and issuance of a Negative Declaration.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-150

Ordinance No. 2014-251
(Int. No. 284)

Authorizing the sale of real estate at 60 Browns Race and the settlement of legal claims

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

Section 1. The Council hereby approves the negotiated sale of the parcel known as 60 Browns Race to Metro Falls Development, LLC for the negotiated price of \$680,000. The purchase price shall be paid as follows: Metro Falls Development, LLC shall agree to settle all legal claims related to the termination of a lease at 40 Commercial Street which have an agreed upon settlement value of \$659,055; and Metro Falls Development, LLC shall agree to settle all legal claims related to a roof repair at 40 Commercial Street which have an agreed upon settlement value of \$13,000; and Metro Falls Development, LLC shall pay the City \$7,945 in cash.

Section 2. The Mayor is hereby authorized to enter into an agreement with Metro Falls Development, LLC for the repair and stabilization of the Triphammer Forge mill wheel and mill pit located at 38 Browns Race. The parties agree that these services have a value of \$360,000. The agreement shall not obligate the City to pay any compensation to Metro Falls Development, LLC except for providing the purchase option agreement set forth in Section 5 herein.

Section 3. The Mayor is hereby authorized to enter into a maintenance agreement with Metro Falls Development, LLC for the Triphammer Forge observation deck, mill wheel, and mill pit located at 38 Browns Race. The agreement shall have a term of ten years with two optional five year extensions. The agreement shall not obligate the City to pay any compensation to Metro Falls Development, LLC except for providing the lease agreement set forth in Section 4 herein.

Section 4. The Mayor is hereby authorized to enter into a lease agreement with Metro Falls De-

velopment, LLC for the refuse storage parcel located at 36 Browns Race. The agreement shall have a term of ten years with two optional five year extensions. The agreement shall not obligate Metro Falls Development, LLC to pay any compensation to the City except for providing the maintenance agreement set forth in Section 3 herein.

Section 5. The Mayor is hereby authorized to enter into a purchase option agreement with Metro Falls Development, LLC for the parcel located at 74 Browns Race. The agreement shall have a term of five years, but shall not be exercised until the parcel has been released from a covenant to the New York State Office of Parks, Recreation and Historic Preservation that restricts sale of said parcel. The parties agree that the parcel has a value of \$360,000. If exercised, the purchase option shall not obligate Metro Falls Development, LLC to pay any compensation to the City except for providing the repair and stabilization agreement set forth in Section 2 herein.

Section 6. The Mayor is hereby authorized to enter into a lease and maintenance agreement with Metro Falls Development, LLC for the parcel located at 74 Browns Race. The agreement shall have a term of five years, and shall not obligate Metro Falls Development, LLC to pay any compensation to the City except for one dollar per year and except that Metro Falls Development, LLC shall be obligated to maintain at its cost the Urban Cultural Park Visitors Center on the first floor of said building in accordance with requirements established by the City.

Section 7. The Mayor is hereby authorized to execute any documents necessary to grant and accept easements necessary to allow public access to the overlook terrace at the eastern property lines of 60-74 Browns Race.

Section 8. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 9. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Haag
August 19, 2014

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

Int. No. 268 - Establishing maximum compensation for an amendatory professional services agreement for legal services in connection with the Vacuum Oil site remediation

Int. No. 269 - Authorizing a professional services agreement with Bergmann Associates, PC for environmental services in connection with the Vacuum Oil site remediation and authorizing a

grant agreement and appropriating funds

Int. No. 270 - Establishing maximum compensation for a professional services agreement with O'Brien & Gere Engineers, Inc. for environmental services in connection with the Vacuum Oil site remediation

Int. No. 271 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$600,000 bonds of said City to finance the costs of a remedial investigation of environmental contamination of the Vacuum Oil site project in the City as amended

Int. No. 272 - Establishing maximum compensation for an agreement for former High Falls Festival Site maintenance services

Respectfully submitted,
Matt Haag
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-252
Re: Agreement - Harter Secrest & Emery
LLP, Legal Services, Vacuum Oil
Site Remediation

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation establishing \$49,000 as maximum compensation for an amendatory agreement with Harter Secrest & Emery LLP (HSE), Rochester, New York, for the continuation of legal services related to the investigation, remediation and redevelopment of brownfield properties located on and near the former Vacuum Oil site in the City of Rochester. The agreement will be funded from the Department of Environmental Services' 2011-12 and 2012-13 Cash Capital allocations in the amounts of \$25,000 and \$24,000, respectively.

HSE has been providing legal services to the City in this matter since 2008 under an agreement in the amount of \$65,000, which was authorized by Council via Ordinance No. 2008-270.

Under the proposed amendatory agreement, HSE will continue to assist the City with the environmental investigation and remediation of brownfield sites on or near the former Vacuum Oil site. The City's goal is the remediation of contamination at the Vacuum Oil site to levels that will allow for safe redevelopment of the area consistent with the Vacuum Oil - South Genesee River Corridor Brownfield Opportunity Area (BOA) master plan. HSE's role is to help the City reach that goal cost-effectively and in compliance with law, with a primary focus on the recovery of environmental

investigation and cleanup costs from ExxonMobil Corporation, the corporate successor to the Standard Oil Company of New York which owned and operated the Vacuum Oil facility until the 1930s.

The former Vacuum Oil site is approximately 40 acres in size and located in the Plymouth-Exchange or PLEX neighborhood adjacent to the western bank of the Genesee River near Exchange and Flint Streets.

Since being retained by the City, HSE has been negotiating with ExxonMobil for a commitment to reimburse the City for its past and future environmental investigation and remediation costs. To preserve the City's rights in court in the event that ExxonMobil does not consent to reimburse the City adequately, HSE has also negotiated, and the City has entered into, an agreement with ExxonMobil to cease the running of relevant statutes of limitations for commencing a lawsuit for environmental cost recovery.

HSE also has:

- Negotiated an Access Agreement to allow ExxonMobil access to City-owned parcels to perform specified investigations under ExxonMobil's Stipulation with New York State Department of Environmental Conservation (NYSDEC);
- Negotiated access and cooperation agreements with ExxonMobil and with the owners of 5 and 15 Flint Street to allow the City to perform remedial investigations at those properties after the owners refused ExxonMobil direct access;
- Reviewed and commented on various investigation work plans implemented by ExxonMobil and the City;
- Reviewed documents related to the establishment of a BOA;
- Reviewed, analyzed and commented on various court filings and rulings and environmental reports about the site;
- Assisted the City with preparation of a draft application to enter the site into the NYS Brownfield Cleanup Program (BCP);
- Reviewed and commented on a scope of work for additional investigation at the site by the City intended to be performed under the State's BCP with potential partial reimbursement of costs; and
- Conducted recent negotiations seeking ExxonMobil's agreement to pay for a portion of the remedial investigation costs to be performed under the NYS BCP as a partial settlement.

Approval to continue HSE's legal services is necessary at this time so that they can continue to assist the City in moving the BCP project forward with-

out delay and to continue the negotiations with ExxonMobil toward an agreement for financial contribution to the City for the cost of the site investigations. These cost settlement discussions have now reached a critical point due to recent court rulings regarding ExxonMobil's liability for contamination at the Vacuum Oil site as well as the City's July 2014 application for entry into the State's BCP for 15 acres of City-owned land at the south of Flint Street. HSE will assist the City with its entry into the NYS BCP while preserving the City's rights to recover costs from ExxonMobil.

Outside counsel is requested because of HSE's in-depth familiarity with this matter and expertise in environmental contamination cost recovery that extends beyond that of members of the Law Department. HSE was selected because of its specialized legal expertise in brownfield investigations, cleanups and cost recovery.

The term of this agreement will be two years with options for two additional one year renewals, upon mutual consent of the City and HSE.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-151

Ordinance No. 2014-252
(Int. No. 268)

Establishing maximum compensation for an amendatory professional services agreement for legal services in connection with the Vacuum Oil site remediation

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

Section 1. The sum of \$49,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory agreement between the City and Harter Secrest & Emery LLP for legal representation of the City with respect to the investigation, remediation and redevelopment of the Vacuum Oil site and the surrounding area, and for advice on related legal issues. The agreement may extend for the duration of the remediation and any legal proceedings. Said amount shall be funded from the Department of Environmental Services Cash Capital allocations of \$25,000 for Fiscal Year 2011-12 and \$24,000 for Fiscal Year 2012-13.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-253
Re: Agreement - Bergmann Associates,
Brownfield Opportunity Area
Implementation Phase Services

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Vacuum Oil South Genesee River Corridor Brownfield Opportunity Area. This legislation will:

- 1) Establish \$725,000 as maximum compensation for an agreement with Bergmann Associates, Rochester, New York, to complete necessary predevelopment phase studies, investigations and services; and
- 2) Appropriate \$868,500 in anticipated grant reimbursements from the New York State Department of State (NYS DOS) Brownfield Opportunity Area (BOA) grant to finance a portion of the agreement.

The cost of the agreement with Bergmann Associates will be financed from \$652,500 of the anticipated BOA grant reimbursements and the Department of Environmental Services prior years' Cash Capital (\$22,305), 2011-12 Cash Capital (\$8,090) and 2012-13 Cash Capital (\$42,105).

Of the balance of the grant, \$67,500 will be used to finance agreements for civic engagement activities to involve the neighborhood in cleanup and redevelopment planning and neighborhood branding and marketing. The remaining \$148,500 will be used to reimburse the City for 90% of the staff costs required to conduct the project and prepare the necessary State Environmental Quality Review (SEQR), Environmental Impact Statement (EIS), and proposed zoning code updates consistent with the BOA master plan.

The NYSDOS BOA program provides funding to assist municipalities and community-based organizations with the costs of inventorying brownfields, completing area-wide planning approaches to brownfields redevelopment, and investigating key brownfield sites. BOA grants provide funding for up to 90% of eligible project costs.

In 2006, the City applied for and was subsequently awarded \$215,100 in BOA planning grant funding from the NYSDOS for the Vacuum Oil - South Genesee River Corridor (VOSGRC). The VOSGRC BOA was selected because of the prominent size and location of the former Vacuum Oil Refinery on this area of the Genesee River; its proximity to the University of Rochester; the progress made with other nearby riverfront brownfield cleanup; redevelopment projects such as Brooks Landing and Corn Hill Landing; and the significant interest of the community in this area of the City.

Bergmann completed the BOA master plan in the fall of 2012 and the final draft of the BOA nomination study in April 2013. A copy of the nomination study and the BOA master plan is available in the City Clerk's office.

In September 2012, Bergmann assisted the City with the preparation and submission of an applica-

tion for additional BOA grant funds for implementation and predevelopment phase services. In November 2013, the NYSDOS awarded the City \$868,500 in additional BOA grant funds.

Under the proposed agreement, Bergmann will complete studies, investigations, and conceptual design work in support of cleanup and redevelopment within the VOSGRC BOA including:

- Building Condition and Structural Assessments;
- Housing Analysis and Reinvestment Strategy;
- Geotechnical Investigations;
- Phase I Environmental Site Assessments;
- Floodplain Engineering Assessment and Mitigation Planning;
- Wetland and Invasive Species Assessment and Mitigation Planning;
- Traffic and Parking Study;
- Transportation and Infrastructure Feasibility and Enhancement Studies;
- Waterfront and Public Realm Concept Plan;
- Public participation and information activities;
- Master Plan SEQR compliance and EIS preparation;
- Zoning updates and Design Standard for Redevelopment; and
- Property redevelopment evaluations including property appraisals and pro-formas.

The VOSGRC BOA Project Advisory Committee was established in 2010 and will continue to work with the City during the completion of the predevelopment studies and environmental investigations of the former Vacuum Oil site. The Project Advisory Committee includes the PLEX Neighborhood Association, Sector 4 CDC, and other stakeholders such as individual residents, key property owners, the University of Rochester, ExxonMobil (corporate successor to Standard Oil Company of New York), City Planning, Zoning and Environmental Quality staff, the New York State Canal Corporation, the New York State Department of Environmental Conservation, and the NYSDOS.

BOA designation by the NYSDOS requires that the State give preferences and priority to projects within BOAs when making future funding decisions. In addition, higher brownfield cleanup and redevelopment income tax credit rates are available to those parties that complete brownfield cleanup program projects within BOAs.

In September 2010, the Department of Environmental Services advertised a request for proposal

for the nomination study. Proposals were received from six firms and Bergmann was selected on the basis of its BOA experience, qualifications, and reasonableness of proposed costs. Bergmann is again recommended for the BOA implementation phase services due to its successful completion of the BOA nomination study and master plan, its successful collaborative approach in working with the PLEX Neighborhood Association, and unique experience and understanding of the project area.

The agreement will have an initial term of two years with provisions for two additional one-year extensions if the project duration and scope require additional services.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-152

Ordinance No. 2014-253
(Int. No. 269)

Authorizing a professional services agreement with Bergmann Associates, PC for environmental services in connection with the Vacuum Oil site remediation and authorizing a grant agreement and appropriating funds

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

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the New York State Department of State for receipt and use of a grant in the amount of \$868,500 in funds from the Brownfield Opportunity Area program to finance a portion of the costs of the remediation of the Vacuum Oil site in the City, and said grant funds or such amount as shall be available for this project are hereby appropriated for said project.

Section 2. The sum of \$725,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Bergmann Associates, PC, for predevelopment phase studies, investigations and related services for the Vacuum Oil site. The cost of said agreement shall be funded as follows: \$652,500 from the grant funds anticipated to be received for the project from the New York State Department of State from the Brownfield Opportunity Area program; \$22,305 in prior year cash capital funds of the Department of Environmental Services; \$8,090 in 2011-12 cash capital funds of the Department of Environmental Services; and \$42,105 in 2012-13 cash capital funds of the Department of Environmental Services.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-254 and
Ordinance No. 2014-255
Re: Agreement - O'Brien & Gere, Vacuum
Oil Site Brownfield Cleanup Program

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation related to Brownfield Cleanup Program (BCP) remedial investigation services at the former Vacuum Oil site in the City of Rochester. This legislation will:

1. Establish \$600,000 as maximum compensation for an agreement with O'Brien & Gere Engineers, Inc. (O'Brien & Gere), Rochester, New York, for BCP remedial investigation services; and
2. Authorize the issuance of bonds in the amount of \$600,000 and appropriate the proceeds thereof to finance the cost of the agreement.

The former Vacuum Oil site is approximately 40 acres in size and located in the PLEX neighborhood adjacent to the western bank of the Genesee River near Exchange and Flint Streets. In July 2014, the City submitted an application to the New York State (NYS) BCP for City-owned properties on and adjacent to the former Vacuum Oil facility. The BCP remedial investigation study area consists of eight City-owned parcels of land approximately 15.4 acres in size and is located within the Vacuum Oil - South Genesee River Corridor Brownfield Opportunity Area (VOSGRC BOA). A railroad bridge spanning the Genesee River has been renovated by the City and now links public trails and the University of Rochester campus to the Vacuum Oil site. Previous environmental studies by ExxonMobil Corporation (the corporate successor to Vacuum Oil), the New York State Department of Environmental Conservation (NYSDEC), O'Brien & Gere and others have documented soil and groundwater contamination on portions of the Vacuum Oil site that requires additional investigation and delineation.

O'Brien & Gere is part of the technical and legal team with Harter Secrest & Emery that, for the past six years, has been providing expert procedural guidance and assistance to the City associated with its efforts to secure cost contribution and recovery from ExxonMobil for environmental investigation and cleanup costs related to the former Vacuum Oil facility.

Under this agreement, O'Brien & Gere will complete a BCP remedial investigation which will include collecting and analyzing soil and groundwater samples to assist in defining the nature and extent of contamination; identifying contaminant source areas; preparing project investigation work plans, health and safety plans, and community air monitoring plans; preparing draft and final site

investigation and remedy selection reports including data usability reports; and determining if remedial actions or cleanup is warranted. The City's ultimate objective is to determine the extent of remediation at the Vacuum Oil site required to support new redevelopment in this area consistent with the VOSGRC BOA master plan, and other stakeholder visions.

O'Brien & Gere is recommended based on its prior involvement with the City's team working on ExxonMobil cost recovery; the quality of its plan for the BCP remedial investigation; experience with oil refinery investigations and cleanups, and prior experience with NYSDEC BCP projects; the proposed project team; the absence of a legal conflict of interest with ExxonMobil; and its reasonable costs.

O'Brien & Gere submitted a cost proposal in the amount of \$509,260 for performance of the remedial investigation under the NYS BCP. The City's Division of Environmental Quality recommends a contingency in the amount of \$90,740 to address unanticipated conditions, perform potential interim remedial measures during site investigation, and site restoration. The term of the agreement will extend until the NYSDEC issues the Record of Decision (ROD) which selects the cleanup plan for the City's properties. It is currently estimated that it will take two years to complete the remedial investigation and secure NYSDEC approval of a cleanup plan. Adjustment to the specific unit prices in the agreement during the second and third year will be permitted subject to the City's approval.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-153

Ordinance No. 2014-254
(Int. No. 270)

Establishing maximum compensation for a professional services agreement with O'Brien & Gere Engineers, Inc. for environmental services in connection with the Vacuum Oil site remediation

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

Section 1. The sum of \$600,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and O'Brien & Gere Engineers, Inc. to complete a Brownfield Cleanup Program remedial investigation for the Vacuum Oil site. The cost of said agreement shall be funded from a bond ordinance to be authorized for the project.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-255
(Int. No. 271, as amended)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$600,000 bonds of said City to finance the costs of a remedial investigation of environmental contamination of the Vacuum Oil site project in the City

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of a remedial investigation of environmental contamination of the Vacuum Oil site project in the City (the "Project") located in the portion of the Former Vacuum Oil Refinery in the street locations listed below. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$600,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$600,000 bonds of the City and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Vacuum Oil Site:

- 1 Cottage Street
- 13 Cottage Street
- 31 Cottage Street
- 69 Cottage Street
- 75 Cottage Street
- 100 Riverview Place
- 102 Violetta Street
- A portion of 1320 South Plymouth Avenue

Section 2. Bonds of the City in the principal amount of \$600,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$600,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of 11.00 a. 6-e of the Local Finance Law, is twenty (20) years.

Section 5. Each of the bonds authorized by this

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

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

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

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

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

New text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-256
Re: Agreement - High Falls Development Corporation, Maintenance Services

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$15,000 as maximum compensation for an agreement with High Falls Development Corporation (principal: Ben Kendig) to provide maintenance services in the area previously known as the High Falls Festival Site. The cost of the agreement will be funded from the 2014-15 Budget of the Department of Environmental Services.

The High Falls Development Corporation is the owner, developer and operator of the High Falls Building adjacent to the former festival site. The firm leases the site, and the two floors beneath it, from the City. While the terms of the lease stipulate that the firm is responsible for normal maintenance of the site and terrace areas, additional services are provided for certain designated areas, as specified, under the proposed agreement.

These area-wide services include litter and trash removal; routine graffiti removal; repair and resetting of pavers as needed; reseating of pavers every two years; annual fertilizing and mulching of landscape beds; and watering and weeding of landscape beds as needed. Additional services, depending on the specific sub-areas, include cleaning and removal of stains on pavers and concrete surfaces; painting of all metal surfaces; snow plowing, removal and deicing as needed; repointing of stone walls as needed; repair and painting of plastered walls on the terrace as needed; painting of fences and railings as needed; replacement of light bulbs as needed; and weekly cleanup of the "shelf" area contiguous to the terrace.

High Falls Development Corporation was selected to provide maintenance services given its interests in the surrounding area, proximity to the site, and the capability to provide maintenance services. The firm has provided these services since October 2000 (Ord. No. 2000-289), and the most recent agreement was authorized in September 2013 (Ord. No. 2013-320). A justification statement for not issuing a request for proposal is attached.

The agreement will result in the creation or retention of the equivalent of 0.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-154

Ordinance No. 2014-256
(Int. No. 272)

Establishing maximum compensation for an agreement for former High Falls Festival Site maintenance services

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

Section 1. The sum of \$15,000, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for an agreement between the City and High Falls Development Corporation for maintenance services for the former High Falls Festival Site. Said amount shall be funded from the 2014-15 Budget of the Department of Environmental Services. The agreement shall have a term of one year.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember McFadden
August 19, 2014

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 274 - Amending the 2014-15 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds

Int. No. 275 - Establishing maximum compensation for a professional services agreement for hockey referees

Int. No. 276 - Authorizing an amendatory grant agreement and increasing appropriations for the Summer of Opportunity Program as amended

Int. No. 277 - Authorizing an amendatory grant agreement and amendatory agreements for the Comprehensive Adolescent Pregnancy Prevention Program as amended

Int. No. 278 - Authorizing agreements for the Teenage Pregnancy Prevention Program as amended

Int. No. 279 - Authorizing an agreement for the Parent Leadership Training Institute

Int. No. 280 - Authorizing an agreement for the Youth Voice, One Vision Program

Int. No. 281 - Authorizing an agreement and appropriating funds for the Rochester After School Academy Program

Int. No. 282 - Authorizing a grant agreement for the Assistance to Firefighters Grant and appropriating funds

Int. No. 283 - Authorizing an agreement with CGR, Inc. for recreation strategic planning services for the Department of Recreation and Youth Services

Int. No. 286 - Authorizing a grant agreement with the New York State Office of Victim Services

The following entitled legislation is being held in Committee:

Int. No. 273 - Authorizing an agreement with the Rochester Institute of Technology for the evaluation of the Pathways to Peace Program

Int. No. 285 - Amending the 2014-15 Budget by increasing the appropriations for the Rochester Police Department and authorizing an amendment to a lease agreement

Respectfully submitted,
Adam C. McFadden
Matt Haag
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-257
Re: Budget Amendment for Grants

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an amendment to the 2014-15 Budget of the Police Department to reflect the balance of carryover funds from existing grants. The funds below, which will be used for their original intended purpose, were not fully expended in 2013-14 as anticipated so need to be carried over into 2014-15:

Grant	Amount to Carry Over
2013 Bomb Squad Initiative Grant	\$28,400
GTEA	\$4,000
Smart Policing Grant	\$91,000
STOP DWI Grant	\$23,700

The Bomb Squad Initiative Grant has been received for over ten years and is used to purchase equipment and training necessary for the Bomb Squad's continual improvement to incident responses. The 2011 and 2012 Bomb Squad grants provided funding that allowed for the purchase of a Wolverine Robot. The 2013 Grant has been used for training and the purchase of accessories to enhance the capabilities of this robot.

The Violence Against Women Grant to Encourage Arrest Policies and Enforcement of Protection Order Program (GTEA) pays the salary of a part-time Victim's Assistance worker in the Family and Victim Services Section of the Rochester Police

Department (RPD) to work with other members of RPD to provide enhanced domestic violence victim's services; overtime for a Domestic Violence Response Team (DART) comprised of police officers and police supervisors, as needed, to respond to targeted domestic violence situations; and training to assist grant staff in providing these enhanced services.

The Smart Policing grant is a collaboration between the Rochester Police Department and the Rochester Institute of Technology (RIT) to attempt to reduce crime in the city. This project goal is to improve understanding of the scope and nature of violent retaliatory disputes; to formalize a dispute risk assessment method for police to identify and prioritize those at high-risk for retaliation; and to create, test, evaluate, and document a violent dispute intervention strategy that can be extended to other departments. RIT will be responsible for packaging the results of the grant so they can be reviewed and potentially implemented nationally. The funds will be used for police overtime, the agreement with RIT, and mandatory travel costs.

The STOP DWI grant enables enhanced detection and enforcement of driving while intoxicated and related offenses. Supported activities include expenses for STOP DWI overtime details, supplies, equipment, training, breathalyzer calibration, and underage alcohol enforcement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-257
(Int. No. 274)

Amending the 2014-15 Budget by increasing the appropriations for the Rochester Police Department to carry over unspent grant funds

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

Section 1. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$147,100, which amount is hereby appropriated from unspent grant funds appropriated in the 2013-14 budget as shown below. Said funds shall be used for their original purpose.

<u>Grant</u>	<u>Amount to Carry Over</u>
2013 Bomb Squad Initiative Grant	\$28,400
Grants to Encourage Arrest (GTEA)	\$4,000
Smart Policing Grant	\$91,000
Stop DWI Grant	\$23,700

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-258
Re: Agreement - Rochester Ice Hockey Officials

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$13,476 as maximum compensation for an agreement with Rochester Ice Hockey Officials Association, Inc. (RIHO) (Nick Tochelli, President) of Pittsford, New York, to provide referees for adult men's and women's hockey leagues at Genesee Valley Park Sports Arena for the 2014-15 season.

The agreement is for one year with an option to extend for four additional one-year terms. The amount may be adjusted in subsequent years by a maximum of 5% per year. The cost of this agreement will be funded from the 2014-15 Budget of the Department of Recreation and Youth Services, and any optional renewals will be funded from the department's future years' budgets, contingent upon Council approval of those Budgets. The leagues are fee-based and the revenue covers the expense of RIHO and all other associated costs.

RIHO has provided referees for the City since 1993 and also provides all equipment, materials, and supplies required to perform its services. RIHO is one of only two local officiating organizations that are insured; the other operates exclusively in scholastic leagues. As a result, no request for proposal was issued.

The most recent annual agreement for this service was authorized by Council via Ordinance No. 2013-341.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-155

Ordinance No. 2014-258
(Int. No. 275)

Establishing maximum compensation for a professional services agreement for hockey referees

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

Section 1. The sum of \$13,476, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Rochester Ice Hockey Officials Association, Inc. for continued provision of referees for adult men's and women's hockey leagues at the Genesee Valley Park Ice Arena. The agreement shall be for a term of one year with four optional one-year extensions. In future years, the compensation amount may be

adjusted by a maximum amount of five percent per year. Said amount shall be funded from the 2014-15 Budget of the Department of Recreation and Youth Services, and from future years budgets contingent upon their adoption.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-259
Re: Amendment - Ordinance No. 2014-151,
Summer of Opportunity Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation amending Ordinance No. 2014-151 which authorized the implementation of and agreements for the 2014 Summer of Opportunity Program (SOOP). This legislation will:

1. Authorize an amendatory agreement with the New York State Department of Labor (NYS-DOL) for the receipt and use of an additional \$50,000 from the summer jobs program grant, received through the efforts of New York Senator Joseph Robach; and
2. Increase the Budget of the Department of Recreation and Youth Services by \$50,000 to be used for SOOP.

It was anticipated that the NYSDOL grant would be \$250,000, as it has been in previous years. Fortunately, it was increased to \$300,000 allowing us to serve more youth.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-259
(Int. No. 276, as amended)

Authorizing an amendatory grant agreement and increasing appropriations for the Summer of Opportunity Program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the New York State Department of Labor for the receipt and use of an additional \$50,000 grant for a summer jobs program, and said amount is hereby appropriated for the Summer of Opportunity Program authorized by Ordinance No. 2014-151. Ordinance No. 2014-160, the 2014-15 budget is hereby amended to increase the revenue estimates and appropriations of the Department of Recreation and Youth Services by \$50,000.

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

Section 3. This ordinance shall take effect immediately.

New text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-260
Re: Budget Amendment - Comprehensive Adolescent Pregnancy Prevention (CAPP) Program

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation related to funding for the Comprehensive Adolescent Pregnancy Prevention (CAPP) Program. This legislation will:

1. Authorize an agreement with the New York State Department of Health (DOH) for the receipt and use of \$43,792 in additional funding for the 2014 CAPP Program. This amount reflects an unanticipated cost of living adjustment (COLA) provided by the DOH.
2. Authorize amendatory agreements with four of the service providers to increase their maximum compensation by \$5,000 each to reflect the COLA.

The remaining \$23,792 will be included in the City's Teenage Pregnancy Special Revenue Fund and will be used to reimburse City non-personnel costs, including equipment (\$2,725); recruitment (\$2,950); three youth events (\$15,250 total); and meeting expenses (\$2,867).

Year 4 of the CAPP program was authorized by Council in November 2013 (Ord. No. 2013-389). The City was notified by DOH on June 3, 2014 regarding the COLA, which is based upon a Congressional Budget Office calculation for the State fiscal year 2013-14. COLA funds must be expensed by December 31, 2014.

The table below summarizes the current and proposed funding for the CAPP program:

	Initially Authorized	COLA 2014	Proposed Total
U of R Medical Ctr/Highland Family Planning	\$ 46,470	\$ 5,000	\$ 51,470
YWCA of Rochester and Monroe County	50,559	5,000	55,559
Baden St. Settlement/Metro Council for Teen Potential	63,542	5,000	68,542
Society for the Protection and Care of Children	54,461	5,000	59,461

Family Resource Center			
12,574	0	12,574	
City costs			
<u>318,430</u>	<u>23,792</u>	<u>342,222</u>	
Total			
\$546,036	\$43,792	\$589,828	

No added funding is requested for the Family Resource Center because they provide program-related training only as needed by the City, and no increase is anticipated.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-260
(Int. No. 277, as amended)

Authorizing an amendatory grant agreement and amendatory agreements for the Comprehensive Adolescent Pregnancy Prevention Program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the New York State Department of Health for the receipt and use of \$43,792 in additional funding for the operation of the 2014 Comprehensive Adolescent Pregnancy Prevention Program.

Section 2. The Mayor is hereby authorized to enter into amendatory agreements with the following organizations to increase funding for the contract with each organization by \$5,000 above the original amount authorized by Ordinance No. 2013-389, for services under the Comprehensive Adolescent Pregnancy Prevention Program:

<u>Organization</u>	<u>Original Amount</u>
U. of R. Medical Center/Highland Family Planning	\$46,470
Baden Street Settlement/Metro Council for Youth Potential	\$63,542
YWCA of Rochester and Monroe County	\$50,559
Society for the Protection and Care of Children	\$54,461

Section 3. The sum of \$23,792 is hereby appropriated from funds to be received from the New York State Department of Health to the Teenage Pregnancy Special Revenue Fund to pay for non-personnel expenses related to the Program.

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

Section 5. This ordinance shall take effect immediately.

New text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-261
Re: Agreements - Federal Teenage Pregnancy Prevention Grant

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation related to the Teenage Pregnancy Prevention (TPP), Replication of Evidence-Based Programs Grant. This legislation will:

1. Authorize an agreement with the U.S. Department of Health and Human Services, Office of Adolescent Health for the receipt and use of a \$1,499,705 grant for the program; and
2. Establish maximum compensation, to be funded from the Teenage Pregnancy Special Revenue Fund, for agreements with the following organizations to provide related services:

Coordinated Care Services, Inc.	\$129,275
Baden Street Settlement/Metro Council for Teen Potential	208,065
The Community Place of Greater Rochester	79,370
YWCA of Rochester and Monroe County	128,619
University of Rochester Medical Center (evaluation partner)	<u>359,988</u>
Total	\$905,317

The remaining funds, \$594,388, are included in the 2014-15 Budget of the Department of Recreation and Youth Services. These funds will cover administrative costs associated with the City's role as lead agency, including the continued costs for a Project Director, Project Assistant, Recreation Center Liaison, Recreation Leader, Recreation Supervisor and a part-time Clerk III.

The program was approved by the U.S. Department of Health and Human Services for a five year term: September 1, 2010 - August 31, 2015. This will be year five of the five-year grant. The grant was last authorized via Ordinance No. 2013-302.

The goal of this program is to significantly reduce the rate of pregnancy among teenagers in targeted areas. The primary goals of the program are to (1) successfully plan, develop, and implement the Teen Outreach Program (TOP) curriculum with fidelity; (2) reduce adolescent pregnancy rates in the City of Rochester; and (3) improve high school graduation rates in the City of Rochester. The program will serve a total of 570 youth this year, in areas of the city with the highest teen birth rates (zip codes 14605, 14608, 14611, 14613 and 14621).

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-156

Ordinance No. 2014-261
(Int. No. 278, as amended)

Authorizing agreements for the Teenage Pregnancy Prevention Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Health and Human Services, Office of Adolescent Health, for the receipt and use of \$1,499,705 in funding for the operation of the Teenage Pregnancy Prevention Program.

Section 2. The Mayor is hereby authorized to enter into agreements with the following organizations in amounts not to exceed the following for services under the Federal Teenage Pregnancy Prevention Program:

Organization	Amount
Coordinated Care Services, Inc.	\$129,275
Baden Street Settlement /Metro Council for Teen Potential	\$208,065
The Community Place of Greater Rochester	\$79,370
YWCA of Rochester and Monroe County	\$128,619
University of Rochester Medical Center (evaluation Partner)	\$359,988

Section 3. The agreements shall obligate the City to pay an amount not to exceed \$905,317, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received from the United States Department of Health and Human Services under the grant agreement authorized herein. The agreements shall have a term of one year.

Section 4. The sum of \$327,088 is hereby appropriated from the funds to be received from the United States Department of Health and Human Services under the grant agreement authorized herein to fund non-personnel expenses of the Program.

~~Section 4-5.~~ The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

~~Section 5 6.~~ This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmember Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - Councilmember Conklin - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-262
Re: Agreement - Rochester's Child, Inc.,
Parent Leadership Training Institute

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation establishing \$10,000 as maximum compensation for an agreement with Rochester's Child, Inc., a subsidiary of the Rochester Area Community Foundation, for the Parent Leadership Training Institute (PLTI), and appropriating \$10,000 from the Job Creation/Youth Development account of the General Community Needs allocation of the 2014-15 Consolidated Community Development Plan to fund this one-year agreement.

PLTI is an evidence-based program offered by Rochester's Child, Inc. in partnership with the Early Childhood Development Initiative. It is designed to increase parents' involvement and engagement in their children's academic and developmental processes. Parents participate in a 20 week training program with topics that include: child and adolescent youth development, public speaking, civics, and policy development. Twenty-five parents will be served in 2014-15.

This is the third year of City funding for this program. The most recent agreement for this service was approved by Council in June 2013 via Ordinance No. 2013-206.

A project description and budget are attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-157

Ordinance No. 2014-262
(Int. No. 279)

Authorizing an agreement for the Parent Leadership Training Institute

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Rochester's Child, Inc. for the Parent Leadership Training Institute.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$10,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs allocation of the 2014-15 Community Development Program. The agreement shall have a term of one year.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-263
Re: Agreement - Rochester Area
Community Foundation, Youth
Voice, One Vision

Council Priority: Support the Creation
of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester Area Community Foundation for the receipt and use of a \$24,900 grant to support the Youth Voice, One Vision (YVOV) youth leadership program. The grant was anticipated and included in the 2014-15 Budget of the Department of Recreation and Youth Services.

YVOV is a youth leadership and development program that has been administered by the City of Rochester's Bureau of Recreation since 1996. The program currently has 12 youth officers, an average of 50 active youth members participating at each council meeting, and an average of 75 - 150 youth attending city-wide special events and service-learning projects. The participants range in age from 8 to 18 years old, with the majority between 10 and 15 years old.

YVOV participants develop their own goals and strategies, conduct meetings, nominate officers, meet with community leaders and carry out service-learning projects. The members also plan, host and facilitate regular workshops, conferences and special events. YVOV members act as presenters and youth experts at local forums and events. In May 2014, YVOV was designated to serve as the Mayor's Youth Advisory Council.

The grant will be used to support YVOV activities, including:

- Program projects and special events (food, DJ services, supplies, transportation and event space permit fees); and
- Technical assistance and training for youth members and adult advisors regarding best practices for youth leadership and service-learning programs and activities.

The Rochester Area Community Foundation has offered grant funds to support a variety of Youth Voice, One Vision projects since 2007, with the most recent receipt and use of grant funds authorized via Ordinance No. 2013-338 in the amount of \$23,000.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-158

Ordinance No. 2014-263
(Int. No. 280)

Authorizing an agreement for the Youth Voice, One Vision Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Area Community Foundation for receipt and use of \$24,900 funding for the Youth Voice, One Vision Program. The agreement shall have a term of one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-264
Re: Agreement - New York State
Department of Education, Rochester
After School Academy

Council Priority: Support the Creation
of Effective Educational Systems

Transmitted herewith for your approval is legislation related to the Rochester After School Academy (RASA) program. This legislation will:

1. Authorize an agreement with the New York State Department of Education for the receipt and use of \$74,375 in 21st Century Community Learning Centers Program funding for the RASA for the 2014-15 school year;
2. Amend the 2014-15 Budget of the Department of Recreation and Youth Services (DRYS) by \$28,175 to reflect the grant. The remaining grant funds (\$46,200) were already included in the 2014-15 Budget of DRYS; and
3. Appropriate \$15,000 in funding from the Job Creation/Youth Development Account of the General Community Needs allocation of the 2014-15 Community Development Block Grant, to support the project.

RASA is a comprehensive and strategic approach to after school programming, designed to enhance and extend learning opportunities beyond the traditional school day. RASA will serve fifty students at Dr. Charles T. Lunsford School #19. The City will work in partnership with the school to provide academic enrichment and youth development programming to support the academic outcomes of the

students.

This is the second year of a three-year grant.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-264
(Int. No. 281)

Authorizing an agreement and appropriating funds for the Rochester After School Academy Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Education for receipt and use of \$74,375 funding under the New York 21st Century Community Learning Centers Program for the Rochester After School Academy Program for the 2014-15 school year.

Section 2. The amount of \$15,000 is hereby appropriated from the Job Creation/Youth Development Account of the General Community Needs allocation of the 2014-15 Community Development Block Grant to support the Rochester After School Academy Program.

Section 3. Ordinance No. 2014-160, the 2014-15 budget is hereby amended to increase the revenue estimates and appropriations of the Department of Recreation and Youth Services by \$43,175.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-265
Re: 2013 Assistance to Firefighter Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the 2013 Assistance to Firefighter Grant. This legislation will:

1. Authorize an agreement with the Federal Emergency Management Agency (FEMA) for the receipt and use of a \$328,500 grant under the Department of Homeland Security Emergency Preparedness Response Assistance to Firefighters Grant (AFG) Program;
2. Amend the 2014-15 Cash Capital allocation of the Fire Department by \$328,500 to reflect acceptance of the grant; and

3. Authorize the transfer of 10% local matching funds (\$36,500) from the 2014-15 Contingency budget to the 2014-15 Cash Capital allocation of the Fire Department.

AFG provides funding to support firefighters by increasing the effectiveness of operations, health and safety programs, new apparatus, emergency medical service programs and fire prevention and safety programs. This grant will support the purchase of an Advanced Disaster Management Simulator (ADMS).

The ADMS training equipment provides Fire Department personnel with immersive hands-on training for incident commanders, fire officers, team leaders and firefighters according to current Departmental policies and procedures and incident command procedures outlined in the National Incident Management Systems (NIMS). NIMS provides a template for consistent management of incidents involving all threats and hazards.

The proposed ADMS equipment will be retrofitted to existing structures at the Public Safety Training Facility. This training tool will improve the skills and abilities of the Department's uniform personnel, while also increasing compliance with national standards for emergency management.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-265
(Int. No. 282)

Authorizing a grant agreement for the Assistance to Firefighters Grant and appropriating funds

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Federal Emergency Management Agency for receipt and use of \$328,500 funding under the 2013 Assistance to Firefighters Grant Program.

Section 2. Ordinance No. 2014-160, the 2014-15 budget is hereby amended by transferring \$36,500 from Contingency to the Cash Capital allocation of the Rochester Fire Department and by increasing the Cash Capital of the Rochester Fire Department by said amount, plus the anticipated \$328,500 funding to be received under the 2013 Assistance to Firefighters Grant Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-266
Re: Agreement - Center for Governmental
Research, Recreation Strategic
Planning Services

Transmitted herewith for your approval is legisla-
tion establishing \$30,000 as maximum compensa-
tion for an agreement with the Center for Govern-
mental Research (CGR) for Recreation Strategic
Planning Services for the Department of Recreation
and Youth Services. The cost of this agreement
will be funded from the 2014-15 Undistributed
Budget.

The proposed study is the first of two phases in the
creation and execution of a comprehensive plan for
providing relevant, quality recreation services to
residents. The study will document expectations
held by children, youth, parents, and other commu-
nity members in terms of the City's recreation
facilities and programs, and will provide a strategic
roadmap the City can use to prioritize future de-
partmental initiatives and funding decisions. A
final report will be submitted to the City by No-
vember 28, 2014.

CGR was selected through a request for proposal
(RFP) process described in the attached summary.

The RFP for these services was issued July 3, 2014
on the City website, American Planning Association
website, and sent directly to ten consulting
firms known to provide these services. Proposals
were received from the following firms: CGR,
Rochester, NY; Haines Centre for Strategic Man-
agement, Columbia, MD; and TransPro, Tampa,
FL.

Proposals were reviewed by a team of six individu-
als representing the Mayor's Office, Office of
Management and Budget, and the Department of
Recreation and Youth Services. Based on the
described approach, experience, cost, references,
and commitment of key principal staff to the
project, CGR is recommended.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-159

Ordinance No. 2014-266
(Int. No. 283)

**Authorizing an agreement with CGR, Inc. for
recreation strategic planning services for the
Department of Recreation and Youth Services**

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

Section 1. The Mayor is hereby authorized to
enter into an agreement in an amount not to exceed
\$30,000 with CGR, Inc. for recreation strategic
planning services for the Department of Recreation

and Youth Services. The agreement shall have a
term of six months. The cost of said agreement
shall be funded from the 2014-15 Budget for Undis-
tributed Expense.

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

Section 3. This ordinance shall take effect im-
mediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-267
Re: Agreement - New York State Office
of Victim Services

Council Priority: Public Safety

Transmitted herewith for your approval is legisla-
tion authorizing an agreement with New York State
Office of Victim Services for the receipt and use of
a grant totaling \$234,648.96. These funds will
support the Police Department's Victim Services.

This grant is used primarily to finance salary ex-
penses for the counseling positions in the Family
and Victim Services Section of the Police Depart-
ment. These funds were anticipated and included
in the 2014-15 Budget of the Police Department.
The required 25% local match will be fulfilled with
volunteer counselor hours and the City's contribu-
tion of fringe benefits which was also included in
the 2014-15 Budget.

The previous Office of Victim Services award was
approved August 2013 (Ord. No. 2013-304).

The term of this agreement is October 1, 2014
through September 30, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-267
(Int. No. 286)

**Authorizing a grant agreement with the New
York State Office of Victim Services**

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

Section 1. The Mayor is hereby authorized to
enter into an agreement with the New York State
Office of Victim Services for funding for the Fam-
ily and Victim Services Section of the Rochester
Police Department.

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

Section 3. This ordinance shall take effect im-

mediately.

Ordinance No. 2014-268
(Int. No. 273)

Passed unanimously.

Councilmember McFadden moved to discharge Int. No. 273 from Committee.

The motion was seconded by Councilmember Spaul.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-268
Re: Agreement - RIT Center for Public Safety Initiatives, Pathways to Peace Evaluation

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with the RIT Center for Public Safety Initiatives for an evaluation of the Pathways to Peace program in the Department of Recreation and Youth Services. The cost of this agreement will be funded from the 2014-15 Undistributed Budget.

The proposed study will include a review of program staffing levels and workload; evaluate the community need for, and current effectiveness of, Pathways to Peace services; determine the best method to evaluate effectiveness in the future; and make recommendations for continued improvements in the program. A final report will be submitted to the City by December 30, 2014.

The RIT Center for Public Safety Initiatives was selected through a request for proposal (RFP) process described in the attached summary.

A RFP for these services was issued June 20, 2014 on the City website and sent directly to ten consulting firms known to provide these services. Proposals were received from the following firms: Center for Governmental Research, Rochester, NY; Coordinated Care Services Inc., Rochester, NY; RIT Center for Public Safety Initiatives, Henrietta, NY; and TransPro/Baden Street Settlement, Tampa, FL/Rochester, NY.

Proposals were reviewed by a team of six staff representing the Mayor's Office, Office of Management and Budget, and Department of Recreation and Youth Services. Based on the proposed approach, experience, cost, references, and the commitment of key principal staff to the project, the RIT Center for Public Safety Initiatives is recommended.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-160

Authorizing an agreement with the Rochester Institute of Technology for the evaluation of the Pathways to Peace Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement in an amount not to exceed \$50,000 with the Rochester Institute of Technology Center for Public Safety Initiatives for the evaluation of the Pathways to Peace Program. The agreement shall have a term of six months. The cost of said agreement shall be funded from the 2014-15 Budget for Undistributed Expense.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmember Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - Councilmember Conklin - 1.

Councilmember McFadden moved to discharge Int. No. 285 from Committee.

The motion was seconded by Councilmember Spaul.

Adopted unanimously.

Councilmember McFadden moved to amend Int. No. 285.

The motion was seconded by Councilmember Palumbo.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-269
Re: Appropriation - Asset Forfeiture Funds, Police Department Reorganization

Transmitted herewith for your approval is legislation appropriating up to \$351,600 from Federal asset forfeiture funds generated by the Rochester Police Department and amending the 2014-15 Budget of the Police Department by \$35,000 and the 2014-15 Cash Capital allocation of the Police Department by \$316,600.

These funds will be used to support the cost of the reorganization of the police sections. The estimated budget is as follows:

Sibley Building renovations (expansion)	\$ 85,500
IT/Records Management Systems related costs	35,000
Vehicles - Addition of 4 marked	138,900
Vehicles - Addition of 3 unmarked	60,300
Contingency (10%)	<u>31,900</u>
Total	<u>\$351,600</u>

Approval of this appropriation will result in a balance of \$370,900 in the asset forfeiture fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-269
(Int. No. 285, as amended)

Amending the 2014-15 Budget by increasing the appropriations for the Rochester Police Department and authorizing an amendment to a lease agreement

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

Section 1. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of ~~\$351,600, which amount is \$35,000 and increasing the 2014-15 Cash Capital allocation of the Rochester Police Department by \$316,600,~~ and said amounts are hereby appropriated from funds realized from seized and forfeited assets.

Section 2. The sum of ~~\$85,000~~\$85,500, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amandatory lease agreement between the City and Sibley Redevelopment Limited Partnership, increasing the amount authorized by Ordinance No. 2013-66 to pay for the additional cost of leasehold improvements. The cost of said agreement shall be funded from the funds appropriated herein.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

The meeting was adjourned at 8:04 p.m.

HAZEL L. WASHINGTON
City Clerk

REGULAR MEETING
SEPTEMBER 16, 2014

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 9

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

- Retirement:
- Environmental Services
 - *Cheryl L. Gleffe
 - Recreation and Youth Services
 - *Annie L. Pride
 - Fire Department
 - *Johannes M. Vos
 - Police Department
 - *Robert J. Urtis

**Did not attend meeting.*

APPROVAL OF THE MINUTES
By Councilmember Conklin

RESOLVED, that the minutes of the Regular Meeting of August 19, 2014 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

- The Mayor submits the following:
- Administrative Cancellation or Refund of Erroneous Taxes and Charges 4151-14
 - Public Auction - December 12, 2014 4152-14
 - Semi-Annual Report of PILOTs and Tax Abatements 4153-14

The Council submits Disclosure of Interest Forms from Councilmember Conklin on Int. No. 288, Vice President Miller on Int. Nos. 319 and 322, Councilmember McFadden on Int. No. 319, President Scott on Int. No. 322, and Councilmember Spaul on Int. No. 317.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Conklin submits a petition with 425 signatures opposing food trucks in the Cascade area. Petition No. 1703.

Councilmember Palumbo submits a petition with 188 signatures opposing new development at the Port of Rochester. Petition No. 1704

PUBLIC HEARINGS.

Pursuant to law public hearing will now be had on the following matter:

Amending Chapter 120 of the Municipal Code, the Zoning Code with regard to the appointment of alternate members to certain boards and commissions Int. No. 293 No speakers.

Changing the zoning classification of 132 and 138 Flower Street from R-1 Low Density Residential District to C-2 Community Center District Int. No. 299 No speakers.

Approving geometric changes to North Clinton Avenue and property acquisitions related to the La Avenida Streetscape Improvements Phase 2 Project Int. No. 311 No speakers.

Changing the traffic flow on Bittner Street Int. No. 313 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
September 16, 2014

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 287 - Authorizing the cancellation of taxes and charges

Int. No. 288 - Authorizing a grant agreement with the New York State Archives and amending the 2014-15 Budget

Int. No. 289 - Resolution establishing the schedule for the Regular Council Meetings during 2015

Int. No. 323 - Amending the 2013-14 Budget for year-end Budget amendments

Respectfully submitted,
Carolee A. Conklin
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-270
Re: Cancellation or Refund of
Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$22,148.

The property located at 172 Alphonse Street is a two-family dwelling that was ticketed multiple times for code violations and accumulated \$20,650 in fines. Prior to the fines being added to the 2014-15 tax bill, the property was sold in an arm's length transaction on June 19, 2014. The new owner has

applied to de-convert the property to a single-family dwelling and has made significant progress on correcting the violations. A referral has been made to the Municipal Code Violations Bureau to reinstate the fines as a judgment against the former owner.

4681 Lake Avenue is a parcel that has been split into homestead and non-homestead portions for tax billing purposes. The homestead portion had residential refuse charges applied to the tax bill in the amount of \$1,498. As a commercial user, however, the owner had the option to use a private hauler and, unknown to the City, had contracted with a company for both the homestead and non-homestead portions of the property.

The properties located at 59 Hortense Street and 121 Northview Terrace were transferred to the Rochester Land Bank Corporation, and the shared services agreement authorized by City Council via Ordinance 2014-38 provides for cancellation of taxes by the City.

If these cancellations are approved, total cancellations thus far for 2014-15 will be as follows:

	<u>Accounts</u>	<u>Amounts</u>
City Council	63	\$125,987.81
Administrative	153	88,671.21
Total	216	\$214,659.02

These cancellations represent 0.086% of the taxes receivable as of July 1, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-161

Ordinance No. 2014-270
(Int. No. 287)

Authorizing the cancellation of taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

- (A) The property located at 172 Alphonse Street is a two-family dwelling that was ticketed multiple times for code violations. Prior to the fines being added to the 2014-15 tax bill, the property had sold in an arm's length transaction on 6/19/2014. The new owner has applied to de-convert it to a single family dwelling and has made significant progress on correcting the violations. A referral has been made to Municipal Codes Violations Bureau to reinstate the fines as a judgment against the former owner.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>	<u>Subtotal</u>
106.33-1-11	H	172 Alphonse Street	2015	\$20,650	\$20,650

(B) 4681 Lake Avenue is a parcel that has been courtesy split into homestead and non-homestead portions for tax billing purposes. The homestead portion had residential refuse charges applied to the tax bill. As a commercial user, the owner has the option to use a private hauler and has contracted with a company for both the homestead and non-homestead portions of the property.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>	<u>Subtotal</u>
047.46-2-40/HOME	H	4681 Lake Avenue	2015	\$ 1,498	\$ 1,498

(C) The properties located at 59 Hortense Street and 121 Northview Terrace were transferred to the Rochester Land Bank Corporation and the shared services agreement authorized by City Council pursuant to Ordinance 2014-38 provides for cancellation of taxes by the City. The agreement states: All City Real Property Taxes arising after the acquisition of real property by the Land Bank shall be paid by the City, without contribution from the Land Bank or shall be cancelled by the City Council.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Amount Cancelled</u>	<u>Subtotal</u>
120.42-1-74	H	59 Hortense Street	2015	\$1,094.88	\$ 1,094.88
091.69-3-13	H	121 Northview Terrace	2015	\$1,064.74	1,064.74
Grand Total					\$24,307.62

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-271
Re: Agreement - New York State
Archives Grant Award

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Archives for the receipt and use of a \$97,800 demonstration grant to plan the initial phase of process and system documentation for an enterprise document management solution, and amending the 2014-15 Budget of the Information Technology Department (IT) to reflect receipt of the grant.

This is a new type of grant offered by the New York State Archives, in an attempt to implement document management from an enterprise approach. This grant will fund the initial planning stage to capture the process and system requirements of the Police Department to help inform a request for proposal (RFP) for an electronic document management system. The Police Department has been selected as the basis of the prototype system because of its stringent requirements around security, workflow and records retention.

IT has adopted a strong process methodology with standardized deliverables that will be used to document process and system requirements in the planning stage, including best practices, regulations, New York State Records Retention Standards, security and inventory. Grant requirements include the development of demonstration materials to educate other municipalities in the State about our planning process.

Funding from this current grant will be used to augment IT staff in developing the process and system requirements; consultant services will be selected through a RFP.

It is anticipated that this planning project will be completed by June 30, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-271
(Int. No. 288)

Authorizing a grant agreement with the New York State Archives and amending the 2014-15 Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Archives for receipt and use of \$97,800 in grant funds to plan the initial phase of process and system documentation for an enterprise document management solution project.

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

Section 3. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Information Technology Department by the sum of \$97,800, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-38
Re: Resolution - Establishing The
Schedule For The Regular
Council Meetings During 2015

Transmitted herewith for your approval is a resolution that establishes the 2015 City Council meeting schedule.

The proposed schedule has been reviewed by the Council and the Mayor's Office in order to eliminate any potential conflicts with either civic or religious holidays.

All Council Meetings will begin at 7:30 p.m. and Speak to Council will continue to start at 6:30 p.m.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2014-38
(Int. No. 289)

Resolution establishing the schedule for the regular Council Meetings during 2015

WHEREAS, City Council adopted the current Rules of Council on January 2, 2014, by Resolution No. 2014-4, and

WHEREAS, in such Rules, the Council established the dates for the regular Council meetings for 2014 and indicated that the schedule for 2015

would be established in a Resolution adopted during 2014.

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

Section 1. The following shall be the schedule of regular meetings of the Council for 2015 to be held in the Council Chambers, City Hall, at 7:30 P.M.

- January 20
- February 18 (Wednesday)
- March 17
- April 14
- May 19
- June 16
- July 14
- August 11
- September 16 (Wednesday)
- October 13
- November 17
- December 15

and also at such other times as the Council may by adjournment to a day certain appoint. When the date for the regular meeting falls on a legal holiday, the meeting shall be held on the following day.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-272
Re: 2013-14 Budget Amendment

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation amending the 2013-14 Budget. This legislation will:

1. Transfer \$1,362,000 from Contingency to Cash Capital to fund one-time capital expenditures; and
2. Transfer \$2,610,000 from Contingency to the Police, Fire and Undistributed Departments for pending wage and salary settlements.

The appropriation transfers are authorized pursuant to Section 6-13 of the City Charter.

The City Council has previously authorized 21 other amendments to the 2013-14 Budget. These amendments reflect five appropriation transfers and 17 appropriation increases based upon the receipt of additional revenues.

Actual receipts and expenditures for 2013-14 will be audited by the City's external auditors, Freed, Maxick, and Battaglia. The proposed amendments are required to complete the audit process and ensure adherence to Section 6-16 of the City Char-

ter, which prohibits expenditures in excess of authorized appropriations.

The proposed increase to the Cash Capital allocation is to fund capital projects as follows:

1. \$22,000 for required additional engineering services related to the West River Wall Reconstruction. The west wall of the Genesee River between Corn Hill Landing and the Ford Street Bridge is a flood control wall that is crumbling, obscures the river view, and is overgrown with vegetation. The additional services will include petitioning FEMA for a map revision to correct the flood plain designation to the benefit of Corn Hill residents.
2. \$65,000 to complete the installation of a water spray park at Roxie Sinkler Recreation Center. The additional funds are needed to bring in larger water service than was initially anticipated.
3. \$100,000 to fund a market study for the Blue Cross Arena at the Rochester Community War Memorial. This study will assess the viability of architectural improvements recommended by Populous in the Blue Cross Arena Facility Assessment.
4. \$200,000 for additional modifications at the Central Vehicle Maintenance Facility (CVMF) related to the maintenance of Compressed Natural Gas (CNG) vehicles.
5. \$375,000 to fund the purchase and installation of a marquee at the Blue Cross Arena at the Rochester Community War Memorial.
6. \$600,000 to accelerate the demolition program which should allow for the demolition of approximately 20 additional vacant structures.

The City Senior Management Team effectively managed their 2013-14 operating budgets, with actual spending less than 2013-14 Budget allocations. Personnel savings from vacancies and associated fringe benefits combined with savings in healthcare and early payment of the retirement bill allows for the ability to appropriate these additional capital funds.

On June 18, 2013, when the 2013-14 Budget was adopted by the City Council, salary and wage rates had not yet been established for uniformed employees represented by the International Association of Firefighters, Inc. (IAFF) nor the Rochester Police Locust Club, Inc. Collective bargaining agreements for the uniformed employees of the Rochester Police Locust Club and the IAFF expired June 30, 2013. Negotiations (including utilization of the mediation process for IAFF) have not yet resulted in successor agreements being reached. An allowance is being made for the projected anticipated costs of these unsettled contracts.

Respectfully submitted,

Lovely A. Warren
Mayor

Ordinance No. 2014-272
(Int. No. 323)

Amending the 2013-14 Budget for year-end budget amendments

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

Section 1. Ordinance No. 2013-160, the 2013-14 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$1,362,000 from Contingency to the Cash Capital allocation.

Section 2. Ordinance No. 2013-160, the 2013-14 Budget of the City of Rochester, as amended, is hereby further amended by transferring the sum of \$1,407,000 from Contingency to the Budget of the Police Department; and by transferring the sum of \$898,500 from Contingency to the Budget of the Fire Department; and by transferring the sum of \$304,500 from Contingency to the Budget for Undistributed.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Palumbo
September 16, 2014

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 290 - Authorizing the sale of real estate

Int. No. 291 - Authorizing lease agreements for space in the Port Terminal Building

Int. No. 292 - Local Law amending the City Charter to provide for the appointment of alternate members to the City's land use boards

Int. No. 294 - Authorizing Street Manager Program agreements

Int. No. 295 - Authorizing loan agreements for the Eastman Gardens Project as amended

Int. No. 296 - Authorizing a property tax exemption and authorizing an in lieu of tax agreement for the Eastman Gardens Project

Int. No. 297 - Establishing maximum compensation for a professional services agreement for hearing officer services for City demolitions

Int. No. 298 - Authorizing a grant application and agreements for the Bloomberg Philanthropies Innovation Delivery Grant

Int. No. 320 - Authorizing amendatory agreements for the Voice of the Citizen Project

Int. No. 322 - Appropriating funds and authorizing an agreement for the Emergency Assistance Repair Program

Int. No. 325 - Authorizing an extension and amendment of an agreement for management of the Blue Cross Arena at the War Memorial and a lease of Municipal Lot #10

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 293 - Amending Chapter 120 of the Municipal Code, the Zoning Code with regard to the appointment of alternate members to certain boards and commissions

Int. No. 299 - Changing the zoning classification of 132 and 138 Flower Street from R-1 Low Density Residential District to C-2 Community Center District

Respectfully submitted,
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller (*Abstained on Int. No. 322*)
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-273
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

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

The first property was sold by request for proposal. The buyer will develop this property as a single-family structure.

The second property is a vacant lot sold by negotiated sale to the adjacent owner who will combine the respective lot with his existing property.

The third and fourth properties are unbuildable vacant lots being sold for \$1.00 (as per City policy) to the adjacent owners who will combine the respective lots with their existing properties.

The first year projected tax revenue for these four properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$1,652.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-162

Ordinance No. 2014-273
(Int. No. 290)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the sale of the following parcel of improved property with request for proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
385 Seward St	120.76-2-52	40x100	4,000	\$1,000	David Mankowski

Section 2. The Council hereby approves the negotiated sale of the following parcel of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
262 Avenue A	106.22-1-21	40x128	4,953	\$ 450	Jorge Malave

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
21 Diringier Place	106.60-3-35	40x74	3,055	Louise Fulton
64 Lime St	105.74-3-59	33x41	1,469	Cindy & Robert Mroczek

Section 4. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-274
Re: Lease Agreements - 1000 North
River Street, Port of Rochester

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation authorizing one-year lease agreements with four one-year renewal options between the City and (1) California Rollin' and (2) Abbott's Frozen Custard for the continued use of premises located at 1000 North River Street, the Port Terminal building. California Rollin' and Abbott's have occupied space in the building since 2005 and 2009, respectively. Rents will be reduced for the first year due to the significant business disruptions caused by the marina construction project. Following the first year of each lease, the construction is anticipated to be substantially complete and the rents will increase accordingly.

California Rollin' will continue to occupy its current location, totaling approximately 2,088 sq. ft. The rental rate will be \$1,125 per month for the first year of the lease with subsequent renewals at \$2,250 per month.

Abbott's Frozen Custard will continue to occupy its current location, totaling approximately 750 sq. ft. The rental rate will be \$475 per month for the first year of the lease with subsequent renewals at \$950 per month.

The rental rates were established by an independent appraisal by Kevin Bruckner, MAI, on May 3, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-274
(Int. No. 291)

Authorizing lease agreements for space in the Port Terminal Building

WHEREAS, the City of Rochester has received proposals for the continued lease of space in the Port Terminal Building; and

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is required to follow additional

procedures due to the length of the proposed leases; and

WHEREAS, the terms of the leases are reasonable and necessary in light of their intended purpose and the public will benefit throughout the term of the leases.

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

Section 1. The Council hereby approves a lease agreement with Abbott's Frozen Custard, Inc. for the lease of approximately 750 square feet of commercial space on the first floor of the Port Terminal Building for a period of one year at a monthly rental rate of \$475. The lease shall have four one-year renewal options and, if renewed, the monthly rental rate shall be \$950.

Section 2. The Council hereby further approves a lease agreement with California Rollin' II for the lease of approximately 2,088 square feet of commercial space on the first floor of the Port Terminal Building for a period of one year at a monthly rental rate of \$1,125. The lease shall have four one-year renewal options and, if renewed, the monthly rental rate shall be \$2,250.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 5 and
Ordinance No. 2014-275
Re: City Charter and Code Amendments -
Authorizing Alternate Members for
Land Use Boards

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation amending the City Charter and Code to provide for the appointment of alternate members to the City's three volunteer land use boards to fill-in when regular members are temporarily absent or unable to participate.

This legislation will amend Sections 12-13, 12-40 and 12-41 of the City Charter and Sections 120-184 through 186 of the City Code to authorize the Mayor to appoint, subject to City Council confirmation, up to three alternate members to each of the City's land use boards: Planning Commission, Preservation Board and Zoning Board of Appeals (the "Boards"). The Boards consist of seven members and are required to have a quorum of at least four members to consider and act upon an application or other matter. Alternate members will substitute for regular members when they are unable to

attend or participate in any particular application or other matter. The addition of alternates will provide the Boards with, at a minimum, the necessary quorum or, preferably, the full complement of seven members, enabling prompt consideration of submissions.

The Board Chairperson is authorized to designate an appointed alternate as needed. The alternate member will possess all the powers and responsibilities of a regular member of the Board. All other provisions of the Zoning Code and other laws governing regular Board members will apply to alternate members, including requirements relating to the manner of appointment, the two-year term, training, continuing education, and ethics. It is anticipated that the alternate member mechanism also will serve as a useful recruiting device that may increase diversity on the Boards.

The City Planning Commission held an informational meeting on this proposed Zoning Text Amendment on Monday, August 11, 2014. One person spoke in support of the amendment. By a vote of 6-0, the Planning Commission recommended approval; meeting minutes are attached.

A public hearing is required for the Zoning Code amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-163

Local Law No. 5
(Int. No. 292)

Local Law amending the City Charter to provide for the appointment of alternate members to the City's land use boards

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 amending the first paragraph of Section 12-13, Planning Commission, to read as follows:

There is hereby established a City Planning Commission which shall consist of seven (7) members appointed by the Mayor, subject to confirmation by City Council. They shall be residents of the City of Rochester. At all times, there shall be at least one (1) member residing in each City Council District, except that the failure to meet this requirement shall not affect the validity of any Commission action. The Mayor may appoint, subject to confirmation by City Council, up to three additional residents of the City of Rochester as alternate members, each of whom may serve as a member of the Commission when called upon to do so as a temporary replacement for a regular member who is unable to participate in any application or other matter.

Section 2. The first paragraph of Section 12-40 of the City Charter, Preservation Board, as amended, is hereby further amended to read as follows:

There is hereby established the Rochester Preservation Board which shall consist of seven members appointed by the Mayor, subject to confirmation by City Council. Among the members of the Preservation Board, there shall be at least one licensed or certified real estate professional; at least one member of a recognized historical association; at least two registered architects; at least two residents from two different preservation districts established pursuant to the Code of the City of Rochester and one resident at large, except that the failure to meet these requirements shall not affect the validity of any Board action. They shall all be residents of the City of Rochester. The Mayor may appoint, subject to confirmation by City Council, up to three additional residents of the City of Rochester as alternate members, each of whom may serve as a member of the Preservation Board when called upon to do so as a temporary replacement for a regular member who is unable to participate in any application or other matter.

Section 3. The first paragraph of Section 12-41 of the City Charter, Board of Appeals, as amended, is hereby further amended to read as follows:

There is hereby established a Board of Appeals of seven members, appointed by the Mayor, subject to confirmation by City Council. Members of the Board of Appeals shall be residents of the City of Rochester and shall not be officers or employees of the City or any of its agencies. The Mayor may appoint, subject to confirmation by City Council, up to three additional residents of the City of Rochester as alternate members, each of whom may serve as a member of the Board of Appeals when called upon to do so as a temporary replacement for a regular member who is unable to participate in any application or other matter.

Section 4. It is hereby acknowledged that this local law differs from the provisions of New York State General City Law Section 27 subdivision 16, and Section 81 subdivision 11 to the extent that those state laws authorize the substitution of alternate members in situations when a regular member of a planning commission or zoning board of appeals is unable to participate because of a conflict of interest. The adoption of the broader substitution provisions by this local law is in furtherance of the City's interests and its authority over its affairs and government, over the selection and assigned duties of its officers and employees, and over the adoption, amendment and repeal of zoning regulations.

Section 5. This local law shall take effect immediately upon filing in the Office of the Secretary of State as provided by Section 27 of the NYS Municipal Home Rule Law.

Strikeout indicates deleted text, new text is under-

lined

Passed unanimously.

Ordinance No. 2014-275
(Int. No. 293)

Amending Chapter 120 of the Municipal Code, the Zoning Code with regard to the appointment of alternate members to certain boards and commissions

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

Section 1. Chapter 120 of the Municipal Code, The Zoning Code, as amended, is hereby amended by adding a new Subsection K to Section 120-184 to read as follows:

§120-184

K. Alternate Members

The Mayor is hereby authorized to appoint, subject to confirmation by City Council, up to three alternate members to the Commission for purposes of substituting for a regular member in the event such regular member is unable to participate in the Commission's consideration of any application or other matter.

(1) Substitution. The Chairperson of the Commission may designate an alternate member to substitute for a regular member when such regular member is unable to participate in the consideration of any application or other matter before the Commission due to a conflict of interest, illness, or any other reason that causes the regular member to be absent or otherwise unable to participate. When so designated, the alternate member shall possess all the powers and responsibilities of such regular member of the Commission for the application or matter so designated by the Chairperson. Such designation shall be entered into the minutes of the Commission meeting at which the substitution is made. Each alternate member shall be a resident of Rochester and shall be appointed for a two-year term.

(2) Other requirements. All other provisions of this Section 120-184 and the rest of the Municipal Code relating to the eligibility, compensation, ethics, conflicts of interest, vacancies, mandatory training, reappointment and removal of regular Commission members shall also apply to alternate members, provided, however, that there shall be no requirement that there be at least one alternate member residing in each City Council district.

Section 2. Chapter 120 of the Municipal Code, The Zoning Code, as amended, is hereby amended by adding a new Subsection L to Section 120-185 to read as follows:

§120-185

L. Alternate Members

The Mayor is hereby authorized to appoint, subject to confirmation by City Council, up to three alternate members to the Preservation Board for purposes of substituting for a regular member in the event such regular member is unable to participate in the Board's consideration of any application or other matter.

(1) Substitution. The Chairperson of the Preservation Board may designate an alternate member to substitute for a regular member when such regular member is unable to participate in the consideration of any application or other matter before the Board due to a conflict of interest, illness, or any other reason that causes the regular member to be absent or otherwise unable to participate. When so designated, the alternate member shall possess all the powers and responsibilities of such regular member of the Board for the application or matter so designated by the Chairperson. Such designation shall be entered into the minutes of the Board meeting at which the substitution is made. Each alternate member shall be a resident of Rochester and shall be appointed for a two-year term.

(2) Other requirements. All other provisions of this Section 120-185 and the rest of the Municipal Code relating to the eligibility, compensation, ethics, conflicts of interest, vacancies, mandatory training, reappointment and removal of regular Board members shall also apply to alternate members, provided, however, that there shall be no requirement that the alternate members as a group satisfy each of the professional certification, preservation district residency, and residency at large requirements that apply to the regular board members.

Section 3. Chapter 120 of the Municipal Code, The Zoning Code, as amended, is hereby amended by adding a new Subsection L to Section 120-186 to read as follows:

§120-186

L. Alternate Members

The Mayor is hereby authorized to appoint, subject to confirmation by City Council, up to three alternate members to the Zoning Board of Appeals for purposes of substituting for a regular member in the event such regular member is unable to participate in such Board's consideration of any application or other matter.

(1) Substitution. The Chairperson of the Zoning Board of Appeals may designate an alternate member to substitute for a regular member when such regular member is unable to participate in the consideration of any application or other matter before the Board due to a conflict of interest, illness, or any other reason that causes the regular member to be absent or otherwise unable to participate. When so designated, the alternate member shall possess all

the powers and responsibilities of such regular member of the Board for the application or matter so designated by the Chairperson. Such designation shall be entered into the minutes of the Board meeting at which the substitution is made. Each alternate member shall be a resident of Rochester and shall be appointed for a two-year term.

(2) Other requirements. All other provisions of this Section 120-186 and the rest of the Municipal Code relating to the eligibility, compensation, ethics, conflicts of interest, vacancies, mandatory training, reappointment and removal of regular Commission members shall also apply to alternate members, provided, however, that there shall be no requirement that there be at least one alternate member residing in each City Council district.

Section 4. This ordinance shall take effect immediately upon filing of the accompanying Local Law in the Office of the Secretary of State as provided by Section 5-8 of the City Charter and Section 27 of the NYS Municipal Home Rule Law.

New text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-276
Re: Agreements - Street Manager Program

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for four street manager agreements as part of the quadrant-based 2014-15 Street Manager Program, as follows:

<u>Organization</u>	<u>Quadrant</u>	<u>Max. Compensation</u>
Action for a Better Community	Northwest	\$20,000
Highland Planning	Northwest	\$20,000
South Wedge Planning Committee	Southeast	\$20,000
Sector 4 CDC	Southwest	\$20,000

The agreements will be funded from the appropriation in Ordinance No. 2014-173 by allocating \$80,000 from the Neighborhood Commercial Development Program of the 2014-15 Community Development Block Grant.

The mission of the street managers is to provide outreach and assistance to businesses within the targeted commercial corridors of their respective quadrants. Their assistance is expected to result in increased business and community investment and the retention and creation of jobs. A program

summary is attached.

Initial proposals for this program were solicited through a request for proposal (RFP) process on July 29, 2013. Applicants were required to demonstrate a 1:1 funding match with the City to fund the street manager position. A goal was set at a minimum of ten leads developed by each street manager, resulting in \$500,000 worth of investment, with 30 jobs retained and 25 jobs created. Acceptable proposals were received from three of the four quadrants, and agreements were approved by Council through Ordinance No. 2013-313. As no proposal was received for the Northwest Quadrant, the City issued a second RFP for the Northwest that eliminated the agency match and reduced maximum compensation from \$25,000 to \$15,000. The resulting agreement was approved by Council through Ordinance No. 2014-34.

The four street manager agreements will be for one-year, exercising the option to renew agreements for an additional year as was stipulated in the original request for proposals.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-164

Ordinance No. 2014-276
(Int. No. 294)

Authorizing Street Manager Program agreements

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

Section 1. The amount of \$20,000 is hereby established as the maximum compensation for agreements with the following agencies for Street Manager services: Action for a Better Community, Inc. for the Northeast Quadrant, South Wedge Planning Committee, Inc. for the Southeast Quadrant, Highland Planning, LLC for the Northwest Quadrant, and Sector 4 Community Development Corporation, Inc. for the Southwest Quadrant, for a one year renewal period.

Section 2. Said agreements shall be funded from the Neighborhood Commercial Development Program funds appropriated in Ordinance No. 2014-173 from 2014-15 Community Development Block Grant funds.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Palumbo moved to amend Int. No.

295.

The motion was seconded by Councilmember Spaul.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-277 and
Ordinance No. 2014-278
Re: Eastman Gardens

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Eastman Gardens project, an affordable and market rate rental housing project for seniors. The project is located at 800 East Main Street, formerly the Eastman Dental Dispensary, in the Marketview Heights Focused Investment Strategy (FIS) area. It is being undertaken as a joint venture by Home Leasing, LLC and Edgemere Development, Inc. This legislation will:

1. Authorize two loan agreements totaling \$1,200,000, with Eastman Gardens Associates, LLC or an affiliated partnership or housing fund development corporation to be formed for the project. The loans will be funded as follows:

Loan 1 \$600,000 of Cash Capital, with \$300,000 from the FIS allocation of 2012-13 Cash Capital and \$300,000 from the Affordable Housing Acquisition allocation of 2014-15 Cash Capital; and

Loan 2 \$600,000 from the Affordable Housing Fund allocation of the Housing Development Fund of the 2014-15 HOME Program.

2. Authorize a property tax exemption and payment-in-lieu-of taxes agreement for the project that will provide a 30-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs). Properties to be included in the agreement are 800 East Main Street, 73 Kenilworth Terrace and 75-77 Kenilworth Terrace.
3. Authorize the Mayor to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for the tax credits and other financing sources for the project.

This project involves the adaptive re-use of the former Eastman Dental Dispensary building at 800 East Main Street into a fifty-five unit mixed-income senior rental residential community in the Marketview Heights FIS area. The project will also rehabilitate the adjoining parking lots at 73 and 75-77 Kenilworth Terrace. The Eastman Dental Dispensary, which has been vacant for more than 30

years, is listed on the National Registry of Historic Places and is a local landmark on a major gateway into downtown Rochester. All 55 units (two studios, 52 one-bedroom, and one two-bedroom) will be available to senior households aged 55 or older. Forty-three of the units will be affordable to seniors at or below 60% of Area Median Income and twelve units will be market rate. Nine units will be available for individuals with special needs. The Rochester Housing Authority has awarded eight Project Based Section 8 Housing Vouchers to the development. This historically significant building will be restored where practically feasible with input and approval of New York State Historic Preservation Office and the National Park Service. The Eastman Gardens project enhances and supports prior and ongoing investment in the FIS and surrounding area.

Home Leasing has received New York State Housing Trust Fund/HOME funds, Federal Low Income Housing Tax Credits, and State Low Income Housing Tax Credits for the project.

The budget for the project is as follows:

<u>Costs</u>	
Acquisition	\$ 384,000
Construction	15,221,095
Soft costs	1,811,060
Construction contingency	1,522,110
Development fee	2,264,912
Working capital	81,000
Project reserves	<u>266,158</u>
Total	\$21,550,335
<u>Sources</u>	
Equity	\$18,137,443
NYS HCR - HTF*	2,010,819
City of Rochester	1,200,000
NYSERDA**	68,400
Def. developer fee	<u>133,673</u>
Total	\$21,550,335

* New York State Housing and Community Renewal - Housing Trust Fund

**New York State Energy Research and Development Authority

The City loans will be provided initially as construction financing, then convert to permanent financing, for terms of 30 years each. Following are the specific terms for each loan:

Loan 1 \$600,000 - Cash Capital Funds - will be a non-amortizing construction loan at 2% interest annually during the construction period, and amortized at 30 years and have several rate adjustments during the permanent financing period:

1. Years 1 - 5 at 1 % interest
2. Years 6 - 15 at 2% interest
3. Years 16 - 30 at 6% interest
4. Up to one-half of the first two years' payments may be deferred if necessary (upon au-

dated financial statements) to offset any rent concessions required to achieve full occupancy

Loan 2 \$600,000 - HOME Funds - will be a non-amortizing construction loan at 0% interest, and have the following terms during the permanent financing:

1. Years 1 - 30 at 2% interest only, with annual payments
2. Principal payment deferred to loan maturity

Construction on the project is anticipated to begin in November 2014, and be completed by April 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-165

Ordinance No. 2014-277
(Int. No. 295, as amended)

Authorizing loan agreements for the Eastman Gardens Project

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

Section 1. The Mayor is hereby authorized to enter into loan agreements for construction financing and permanent financing with Eastman Gardens Associates LLC or a housing development fund corporation formed for the Eastman Gardens Project. The construction financing loan agreement designated as Loan Number 1 shall be in the amount of \$600,000 at 2% interest, interest only to be paid annually. When the loan is converted to permanent financing, it shall amortize over a term of 30 years with interest at 1% in years 1 through 5; 2% interest in years 6 through 15; and 6% interest in years 16 through 30. In years 1 and 2, up to one half of the payments due may be deferred if the City determines that such deferral is necessary to offset any rent concessions required to achieve full occupancy, based upon audited financial statements. The Mayor is authorized to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project. This loan agreement shall be funded by \$300,000 from the Focused Investment Strategy allocation of 2012-13 Cash Capital of the Department of Neighborhood and Business Development, and \$300,000 from the Affordable Housing Acquisition allocation of 2014-15 Prior Years' Cash Capital of the Department of Neighborhood and Business Development.

Section 2. The Mayor is hereby authorized to enter into loan agreements for construction financing and permanent financing with Eastman Gardens Associates LLC or a housing development fund corporation formed for the Eastman Gardens Project. The construction financing loan agreement designated as Loan Number 2 shall be in the

amount of \$600,000 at 0% interest. When the loan is converted to permanent financing, it shall be for a term of 30 years with interest ~~only payable annually~~ at 2% per year. Payment of the principal and interest shall be deferred until the end of the term. The Mayor is authorized to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project. This loan agreement shall be funded by \$600,000 from the Affordable Housing Fund allocation of the Housing Development Fund of the 2014-15 HOME Program, and said funds are hereby appropriated for this purpose.

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

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Ordinance No. 2014-278
(Int. No. 296)

Authorizing a property tax exemption and authorizing an in lieu of tax agreement for the Eastman Gardens Project

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

Section 1. Pursuant to Section 577 of the New York State Private Housing Finance Law, the Council hereby exempts from real property taxes, for a period of 30 years, the properties described below, to be owned by Eastman Gardens Associates LLC or an affiliated housing development fund corporation formed for the Eastman Gardens Project, and to be used for housing as a part of the Eastman Gardens Project:

Project Address	SBL #
800 East Main Street	106.74-2-24.1
73 Kenilworth Terrace	106.74-2-41
75-77 Kenilworth Terrace	106.74-2-42

Section 2. The Mayor is hereby further authorized to enter into an in-lieu-of-tax payment agreement for a period of thirty years with the housing development fund corporation, whereby the owner shall be obligated to make annual tax and in-lieu-of-tax payments to the City of Rochester equal in total to at least 10% of its annual "shelter rent". "Shelter rent" shall equal gross rents less utility costs.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-279
Re: Agreement - Center for Dispute Settlement, Demolition Hearing Officers

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing \$13,125 as maximum compensation for an agreement with the Center for Dispute Settlement (CDS) for hearing officers for the City's demolition program. The cost of this agreement will be funded from the 2014-15 Budget of the Department of Neighborhood and Business Development (NBD).

As part of the City's demolition program, NBD conducts demolition hearings against owners whose properties are in a state of disrepair and a potential health and safety hazard. An important aspect of the demolition hearing process is an impartial, third party hearing officer. The hearing officer will listen to testimony and render written decisions for each privately-owned property that the City schedules for a demolition hearing. Those hearing findings are the legal basis for further action, including demolition that the City may undertake.

CDS currently provides demolition hearing services to the City and will charge \$175 for each property handled by a hearing officer, the same fee as last fiscal year. The term of this agreement is one year and will permit CDS to conduct 75 demolition hearings during fiscal year 2014-15.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-166

Ordinance No. 2014-279
(Int. No. 297)

Establishing maximum compensation for a professional services agreement for hearing officer services for City demolitions

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

Section 1. The sum of \$13,125, or so much thereof as may be necessary, is hereby established as the annual compensation to be paid for a professional services agreement between the City and the Center For Dispute Settlement, Inc. for the continuation of hearing officer services relating to the City demolition program for a term of one year. Said amount shall be funded from the 2014-15 Budget of the Department of Neighborhood and Business Development.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-280
Re: Grant Application - Bloomberg
Philanthropies Innovation
Delivery Grant

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

Transmitted herewith for your approval is legisla-
tion related to an application to Bloomberg Phi-
lanthropies for an Innovation Delivery Grant. This
legislation will:

1. Authorize the City's application to Bloom-
berg Philanthropies Innovation Delivery
Grant Program.
2. Authorize any necessary agreements with
Bloomberg Philanthropies for receipt and use
of funding.

The Department of Neighborhood and Business
Development (NBD) will be launching a new Of-
fice of Innovation and Strategic Initiatives in Sep-
tember, 2014. The office will be tasked with utiliz-
ing data analytics, industry best practices, and
innovative approaches to significantly advance our
strategic initiatives of enhancing neighborhoods,
facilitating business growth, and promoting devel-
opment.

This vision for NBD's new office is an ideal fit for
Bloomberg Philanthropies' recently announced
Innovation Delivery Grant program, a program
focused on developing data driven innovation
teams within city governments. Much like NBD's
office, these teams are envisioned to apply modern
techniques and research to both social and gover-
nance issues. An award would enable NBD to
further develop the office's scope and expand staff-
ing in a way that will allow it to be even more
effective. Winning applicants will receive between
\$250,000 and \$1 million per year over three years
for the development of an innovation delivery
team. The funds must be used to support staff
expenses. Winning applicants will also receive
remote technical support and coaching through the
development of the new teams. Applications are
due by October 6, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-280
(Int. No. 298)

**Authorizing a grant application and agree-
ments for the Bloomberg Philanthropies Innova-
tion Delivery Grant**

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

Section 1. The Mayor is hereby authorized to
submit an application to and enter into agreements
with Bloomberg Philanthropies for receipt and use
of funds from the Bloomberg Philanthropies Inno-
vation Delivery Grant.

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

Section 3. This ordinance shall take effect im-
mediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-281
Re: Extend Agreements - Voice of the
Citizen Quadrant Projects

Council Priority: Public Safety

Transmitted herewith for your approval is legisla-
tion authorizing amendatory agreements to the
Voice of the Citizen (VOC) projects in the South-
east, Northeast and Southwest quadrants as origi-
nally authorized in March 2014 via Ordinance No.
2014-59.

The amendments will extend the term of the
agreements with the quadrants' fiduciary agencies
through December 31, 2014. Terms will be ex-
tended with the South Wedge Planning Committee,
Inc., North East Area Development, Inc., and
Southwest Area Neighborhood Association to
allow completion of the VOC projects.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-281
(Int. No. 320)

**Authorizing amendatory agreements for the
Voice of the Citizen Project**

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

Section 1. The Mayor is hereby authorized to
enter into amendatory agreements to amend the
professional services agreement between the City
and the organizations listed below for the imple-
mentation of the Voice of the Citizen Project, au-
thorized by Ordinance No. 2014-59. The amend-
ments shall extend the term of the agreements
through December 31, 2014.

Agreements with:

- South Wedge Planning Committee, Inc.
- North East Area Development, Inc.
- Southwest Area Neighborhood Association

Section 2. This ordinance shall take effect im-
mediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-282
Re: Agreement - Action for a Better
Community, Emergency Assistance
Repair Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legisla-
tion related to the Emergency Assistance Repair
Program (EARP). This legislation will:

1. Appropriate \$50,000 from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-15 Community Development Block Grant (CDBG) for the City's use to operate the program; and
2. Establish \$40,500 as maximum compensation for an agreement with Action for a Better Community (ABC) to provide customer services for EARP which will be funded from the appropriation made in August 2013 via Ordinance No. 2013-284.

In August 2013, EARP was established as a housing program designed to assist eligible homeowners to make emergency repairs to their homes. Eligible homeowners are those with household incomes at or below 80% of the area median income, who are current with City property tax payments and are in need of a water line replacement, hot water tank or furnace. EARP has been operating in-house with the assistance of ABC to manage the application intake process. The repair work has been undertaken by vendors under term agreements with the City. Vendors have been responsible for responding to requests and providing services within four hours from the time of the request. A City program manager has been responsible for overseeing the activities of ABC to ensure a smooth flow of applications from homeowners. The program manager accepts and approves applications and coordinates work activities. Since August 2013, a total of 66 homeowners were provided assistance at a cost of approximately \$107,000.

The proposed legislation would enable the City to operate EARP for a second year. It is estimated that approximately \$105,000 will be made available from last year's appropriation (Ord. No. 2013-284) which, combined with the \$50,000 appropriated herein, will serve approximately 100 homeowners. The City will continue to use term agreements with vendors to provide repair services. The City will also continue contracting with ABC for application intake services, as a request for proposal was completed last year and ABC was selected as the service provider.

The program is expected to continue through October 2015.

Respectfully submitted,

Lovely A. Warren
Mayor

Attachment No. AN-167

Ordinance No. 2014-282
(Int. No. 322)

Appropriating funds and authorizing an agreement for the Emergency Assistance Repair Program

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

Section 1. The sum of \$50,000, or so much thereof as may be necessary, is hereby appropriated from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-15 Community Development Block Grant to fund the Emergency Assistance Repair Program to be operated by the City.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Program.

Section 3. The Mayor is hereby authorized to enter into an agreement with Action for a Better Community Inc. to provide services to eligible homeowners for the Emergency Assistance Repair Program. The agreement shall obligate the City to pay an amount not to exceed \$40,500, and said amount, or so much thereof as may be necessary, shall be funded from the appropriation made in Ordinance No. 2013-284. The agreement shall extend for one year, with an option to extend for an additional year if funds remain in the original appropriation. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

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

Section 5. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Miller abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-283
Re: Amendments to Agreements - SMG,
Blue Cross Arena at the War Memorial
Management and Parking Lot Lease

Council Priority: Creating and

Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to management of the Blue Cross Arena at the War Memorial and the lease of City property for adjacent parking. This legislation will:

- 1) Authorize a two-year extension of the agreement with SMG for continued management of the Blue Cross Arena at the War Memorial; and
- 2) Authorize a two-year extension of the lease agreement with SMG for the parking lot at the corner of Court and Exchange Streets. The lot is comprised of eight parcels: 25 Court Street, and 132, 156, 168, 170, 180, 182 and 200 Exchange Boulevard.

SMG is currently managing the facility and parking lot under a 60-day extension agreement that was authorized pursuant to Ordinance No. 2014-208, which expires on September 30, 2014. This amendment will extend the management contract and parking lot lease for a two-year term commencing October 1, 2014 and ending September 30, 2016.

Under the amended agreement, SMG will be entitled to retain all food and beverage revenues from all events at the Arena during the term of the contract. Previous contracts allocated a portion of food and beverage revenues to the City: 11% of revenues from events associated with team agreements and 13% of revenues from all other events at the Arena. For 2014-15, the City's projected revenue from food and beverage was \$329,000. The portion of this revenue that is attributable to the period from October 1, 2014 through the end of this fiscal year will instead be retained by SMG as part of its operating budget, as well as all food and beverage revenue from fiscal year 2015-16 and through September 30, 2016. The agreement will also recognize that SMG will contribute funds to pay for operating losses in the period prior to this extension, in an amount estimated to be \$600,000.

The City will establish an oversight committee to review all aspects of the management, maintenance, operations and promotion of the Arena. At its sole discretion, the City will designate the members of the oversight committee, develop a description of its responsibilities and establish a schedule of meetings. The oversight committee will meet on a regular basis with SMG to obtain necessary information for its reviews, consult with SMG and report the results of its reviews. Upon request, SMG will provide, on a timely basis, any information necessary for the oversight committee to conduct its reviews.

All other terms and conditions of the agreements will remain the same.

Following execution of the agreements, the City will prepare a request for proposal for consultant services to provide a market study to evaluate and prioritize the recommendations made in the Facility Assessment Report completed by Populous in June

2014. The market study will inform future decisions with reference to capital expenditures, and provide the basis for negotiations toward a long-term management agreement with the goal of increasing the profitability of the Arena.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-168

Ordinance No. 2014-283
(Int. No. 325)

Authorizing an extension and amendment of an agreement for management of the Blue Cross Arena at the War Memorial and a lease of Municipal Lot #10

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

Section 1. The Mayor is hereby authorized to extend the existing agreement with SMG for the management of the Blue Cross Arena at the War Memorial, as authorized by Ordinances No. 2013-217 and 2014-208, for a term commencing October 1, 2014 and ending September 30, 2016. The terms and conditions of the existing agreement shall remain in full force and effect during this new term, except that the agreement shall be amended to authorize SMG to retain all food and beverage revenues from all events at the Blue Cross Arena at the War Memorial during the term commencing October 1, 2014 and ending September 30, 2016. The agreement shall also recognize that SMG will contribute funds to pay for operating losses in the period prior to this extension, in an amount estimated to be \$600,000.

Section 2. The Mayor is hereby further authorized to extend the lease agreement with SMG for the lease of Municipal Lot #10, as authorized by Ordinances No. 2013-217 and 2014-208, for a term commencing October 1, 2014 and ending September 30, 2016. The terms and conditions of the existing lease agreement shall remain in full force and effect during this new term.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-284
Re: Zoning Map Amendment - 132 and
138 Flower Street

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties at 132 and 138 Flower Street from R-1 Low Density Residential District to C-2 Community Center District. The purpose of this rezoning is to enable the applicant to combine these two parcels with the property at 973 North Clinton Avenue, already zoned C-2, to accommodate the expansion of the parking lot for the existing restaurant. The expansion will provide more parking spaces, area for a new dumpster enclosure, snow storage and a landscaping buffer for the R-1 district. Only lots in the same zoning district can be combined, which is why the rezoning of 132 and 138 Flower Street is required.

The two subject properties are currently vacant parcels owned by the City, but the restaurant owner is in the process of purchasing them. The sale of these properties was approved by City Council in July 2014 via Ordinance No. 2014-203.

The City Planning Commission held an informational meeting on this proposed rezoning on August 11, 2014; the minutes are attached. One person spoke in support of the rezoning. By a vote of 6-0, the Planning Commission recommended approval.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-169

Ordinance No. 2014-284
(Int. No. 299)

Changing the zoning classification of 132 and 138 Flower Street from R-1 Low Density Residential District to C-2 Community Center District

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcels, constituting 132 and 138 Flower Street from R-1 Low Density Residential District to C-2 Community Center District:

**LEGAL DESCRIPTION OF LANDS
#132 & #138 FLOWER STREET
T.A. #106.300-01-031 & 032**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being more particularly bounded and described as follows: Beginning at the intersection of the centerline of Flower Street (40' ROW) with the southerly extension of the west line of Lot 18 of the Michael & William Dryer Subdivision, as filed in the Monroe County Clerk's Office in Liber 3 of Maps, Page 8, said intersection being the Point or Place of Beginning; thence

- 1) Northerly, along said extension and the west line of said Lot 18, a distance of 154.3 feet to the northwest corner thereof; thence
- 2) Easterly, along the north line of said Lot 18, a distance of 33.0 feet to the northeast corner thereof; thence
- 3) Southerly, along the east line of said Lot 18, a distance of 58.0 feet to the northwest corner of Lot 21 of said Dryer Subdivision; thence
- 4) Easterly, along the north line of said Lot 21, a distance of 31.0 feet to a point; thence
- 5) Southerly, through said Lot 21, a distance of 29.0 feet to a point on the north line of Lot 22 of said Dryer Subdivision, being 96.5 feet west of North Clinton Avenue; thence
- 6) Easterly, along said north line of Lot 22, a distance of 1.5 feet to a point thence
- 7) Southerly, through said Lot 22 and parallel with said North Clinton Avenue, a distance 67.27 feet to the said centerline of Flower Street; thence
- 8) Westerly, along said centerline of Flower Street, a distance of 65.0 feet to the southerly extension of said west line of Lot 18, being the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Haag
September 16, 2014

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 300 - Resolution approving appointments to the Downtown Enhancement District Advisory Committee

Int. No. 301 - Authorizing an amendatory agreement with Baden Street Settlement of Rochester, Inc. for a job training and placement program

Int. No. 302 - Authorizing an amendatory agreement with Abundant Life Faith Center, Inc. for a job training and placement program

Int. No. 303 - Authorizing the acceptance of a grant from the New York State Energy Research and Development Authority for a City of Rochester Climate Action Plan

Int. No. 304 - Authorizing an agreement for the Rochester Public Library Central Library Master Space Plan Phase 2 and Phase 3

Int. No. 306 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$230,000 bonds of said City to finance the cost of design and construction of the Durand Eastman Beach Outfall Project as amended

Int. No. 307 - Establishing maximum compensation for an amendatory professional services agreement with Vanguard Engineering P.C. for resident project representation services

Int. No. 308 - Authorizing an agreement with T.Y. Lin International Group for resident project representation services for the Elk Street Group Reconstruction and Rehabilitation Project and appropriating funds

Int. No. 309 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$800,000 bonds of said City to finance the costs of construction and reconstruction of streets as part of the Elk Street Group Reconstruction and Rehabilitation Project

Int. No. 310 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$290,000 bonds of said City to finance the costs of construction and reconstruction of water mains as part of the Elk Street Group Reconstruction and Rehabilitation Project

Int. No. 312 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$909,000 bonds of said City to finance the reconstruction of certain streets related to Center City Two-Way Conversion Project

Int. No. 321 - Appropriating funds and authorizing agreements for the East Main Arts & Market District Plan

Int. No. 324 - Establishing maximum compensation for a professional services agreement with Stantec Consulting Services, Inc. for design and resident project representation services

Int. No. 326 - Authorizing agreements and appropriating funds for the Inner Loop East Transformation Project

The Jobs, Parks & Public Works Committee recommends for consideration the following entitled legislation:

Int. No. 311 - Approving geometric changes to North Clinton Avenue and property acquisitions related to the La Avenida Streetscape Improvements Phase 2 Project

Int. No. 313 - Changing the traffic flow on Bitter Street

The following entitled legislation is being held in Committee:

Int. No. 305 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,265,000 bonds of said City to finance the cost of the East End (Metro Center) Parking Garage Reha-

bilitation Project

Respectfully submitted,
Matt Haag
Elaine M. Spaul
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-39
Re: Appointments - Downtown
Enhancement District Advisory
Committee

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation confirming the appointments of Frank Freida, 25 Franklin Street, Rochester, NY, and Peter Kaplan, 14 Franklin Street, Suite 1106, Rochester, NY, to the Downtown Enhancement District Advisory Committee.

Mr. Freida currently works as the Regional Maintenance Coordinator for the Winn Corporation. Mr. Kaplan is the founding member of Hamberger and Weiss, a firm that represents clients in all aspects of Workers' Compensation defense, and graduated from the University of Buffalo with a law degree. Mr. Kaplan is a resident of the district.

Committee members serve two-year terms. If appointed, each will serve out the remainder of the current schedule of terms, which expire on December 31, 2015.

Resumes for Mr. Freida and Mr. Kaplan are available for review in the City Clerk's Office.

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2014-39
(Int. No. 300)

Resolution approving appointments to the Downtown Enhancement District Advisory Committee

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

Section 1. The Council hereby approves the appointment of the following persons to the Downtown Enhancement District Advisory Committee:

<u>Name</u>	<u>Expiration</u>
Frank Freida	12/31/15
Peter Kaplan	12/31/15

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-285
Re: Amendatory Agreement - Baden
Street Settlement, Job Training
Program

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation establishing \$9,900 as maximum compensation for an amendatory agreement with Baden Street Settlement to partner with the City in the implementation of a transitional job training and placement program. The original agreement was authorized on July 10, 2014 for \$9,900 and did not require City Council approval because it was for an amount less than \$10,000. This amendment will increase maximum compensation by \$9,900 to a total of \$19,800. The cost of the amendatory agreement will be funded from the 2014-15 Budget of the Department of Environmental Services.

Baden Street Settlement will provide a work crew comprised of at least three people and supervision for an additional period of ten weeks, commencing on September 28, 2014. The work crews will perform agreed upon services and assignments as determined by City staff and consisting of litter collection, hand sweeping, and leaf collection. Participants in the program are required to live in the City of Rochester. The City will provide performance expectations and reviews of the work performed.

The amendatory agreement will result in the creation or retention of the equivalent of 0.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-170

Ordinance No. 2014-285
(Int. No. 301)

Authorizing an amendatory agreement with Baden Street Settlement of Rochester, Inc. for a job training and placement program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Baden Street Settlement of Rochester, Inc. for a job training and placement program. The amendatory agreement shall increase the maximum compensation to be paid by the City by \$9,900 to a maximum of \$19,800. Said amount shall be funded from the

2014-15 Budget of the Department of Environmental Services.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-286
Re: Amendatory Agreement - Abundant
Life Faith Center, Inc., Job Training
Program

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation establishing \$9,900 as maximum compensation for an amendatory agreement with the Abundant Life Faith Center, Inc. to partner with the City in the implementation of a transitional job training and placement program. The original agreement was authorized on July 10, 2014 for \$9,900 and did not require City Council approval because it was for an amount less than \$10,000. This amendment will increase maximum compensation by \$9,900 to a total of \$19,800. The cost of the amendatory agreement will be funded from the 2014-15 Budget of the Department of Environmental Services.

Abundant Life Faith Center, Inc. will provide a work crew comprised of at least three people and supervision for an additional period of ten weeks, commencing on September 28, 2014. The work crews will perform agreed upon services and assignments as determined by City staff and consisting of litter collection, hand sweeping, and leaf collection. Participants in the program are required to live in the City of Rochester. The City will provide performance expectations and reviews of the work performed.

The amendatory agreement will result in the creation or retention of the equivalent of 0.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-171

Ordinance No. 2014-286
(Int. No. 302)

Authorizing an amendatory agreement with Abundant Life Faith Center, Inc. for a job training and placement program

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Abundant Life Faith Center, Inc. for a job training and placement program. The amendatory agreement shall increase the maximum compensation to be paid by the City by \$9,900 to a maximum of \$19,800. Said amount shall be funded from the 2014-15 Budget of the Department of Environmental Services.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-287
Re: Grant Agreement - New York State Energy Research and Development Authority/Cleaner, Greener Communities Program, City of Rochester Climate Action Plan

Transmitted herewith for your approval is legislation related to the development of a Community Climate Action Plan for the City of Rochester. This legislation will:

1. Authorize the Mayor to enter into a grant agreement with the New York State Energy Research and Development Authority (NYSERDA); and
2. Appropriate \$100,000 in anticipated grant reimbursements from NYSERDA to finance the project.

In August 2013, the City applied for and was subsequently awarded grant funding through NYSERDA's Cleaner Greener Communities Category 2 Planning Program. The grant program is designed to provide communities with funding for planning projects that will align with their region's sustainability goals and lead to a community-wide reduction of greenhouse gas emissions. Under the proposed grant agreement, NYSERDA will provide \$100,000 in funding to assist the City in the development of a City of Rochester Community Climate Action Plan (CAP). The grant-funded project includes the following tasks:

1. Completion of a Community Greenhouse Gas Emissions Inventory Report for the City of Rochester by updating the City's previous greenhouse gas inventory completed for the baseline year of 2008;
2. Development of goals, strategies and actions that will reduce greenhouse gas emissions and move toward a more sustainable community; and
3. Preparation of a Community Climate Action Plan that describes current greenhouse gas

emissions, identifies a target greenhouse gas reduction goal, and provides specific approaches that the community can use to meet its target reduction goal.

The Department of Environmental Services' Division of Environmental Quality will be working with the Department of Neighborhood and Business Development's Bureau of Planning and Zoning on the development of the CAP. It is anticipated that the final CAP will be adopted as part of the City's Comprehensive Plan.

The NYSERDA grant will fund up to 75% of the costs for preparation of the CAP. In fall 2014, the Division of Environmental Quality will prepare and issue a request for proposals for climate action planning consulting services.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-172

Ordinance No. 2014-287
(Int. No. 303)

Authorizing the acceptance of a grant from the New York State Energy Research and Development Authority for a City of Rochester Climate Action Plan

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Energy Research and Development Authority for receipt and use of a grant in the amount of \$100,000 to fund the development of a City of Rochester Climate Action Plan, and said amount is hereby appropriated for said purpose.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-288
Re: Agreement - Edge Architecture, PLLC, Rochester Public Library Central Library Master Space Plan Phases 2 and 3

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Central Library Master Space Plan Phases 2 and 3. This legislation will:

- 1. Establish \$170,000 as maximum compensation for an agreement with Edge Architecture, PLLC, Rochester, New York, for architectural and engineering services; and
- 2. Authorize the receipt and use of \$100,000 from The Friends & Foundation of the Rochester Public Library for this project and amend the Cash Capital allocation of the 2014-2015 Budget to reflect this amount.

<u>Source</u>	<u>Amount</u>
Library 2013-14 Cash Capital	\$ 40,000
Library 2014-15 Cash Capital	100,000
Library Trust Fund (Fenevessy)	<u>30,000</u>
Total	\$170,000

The project includes two phases of design and construction. Phase 2, "Rejuvenate Rundel", relocates Art, Music and Recreation from the Bausch and Lomb Library's second floor to the newly vacated north wing of Rundel's first floor. It also includes lighting, signage and finishes throughout Rundel and a new gallery space in Hacker Hall. Phase 3, "Transform Teen Central", relocates Teen Central from the lower level of the Bausch and Lomb Building to the north side, second floor of Bausch and Lomb vacated by Art, Music and Recreation. The consultant will provide architectural and engineering services including abatement design.

Phase 1 consists of the creation of a Reynolds Media Center on the first floor of the Bausch and Lomb Library building and will be completed in fall 2014. The Friends & Foundation of the Rochester Public Library has initiated a capital campaign for the remaining phase work, which is currently identified in the 2016-17 Capital Improvement Program.

Edge Architecture, PLLC, was selected through a request for proposal process described in the attached summary.

Design will begin in fall 2014; it is anticipated that construction will begin in fall 2015, with scheduled completion in spring 2016.

The estimated cost for the project is \$1,350,000, which will result in the creation/retention of the equivalent of 14.6 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AN-173

Ordinance No. 2014-288
 (Int. No. 304)

Authorizing an agreement for the Rochester Public Library Central Library Master Space Plan Phase 2 and Phase 3

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

Section 1. The sum of \$170,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Edge Architecture, PLLC for architectural and engineering services for the Rochester Public Library Central Library Master Space Plan Phase 2 and Phase 3. The agreement may extend until six (6) months after completion and acceptance of the design and report. Said amount shall be funded as follows; \$40,000 from the 2013-14 Library Cash Capital allocation; \$100,000 from the 2014-15 Library Cash Capital allocation; and \$30,000 from the Library Trust Fund which amount is hereby appropriated as Cash Capital for this purpose.

Section 2. The Council hereby authorizes the receipt and use of \$100,000 in funds to be donated by the Friends & Foundation of the Rochester Public Library. The 2014-15 Budget of the Library is hereby amended to increase the revenue estimates and the Cash Capital allocation of the Library by \$100,000, and said amount is hereby appropriated for the purposes authorized herein.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2014-289
 Re: Durand Eastman Beach Outfall
 Repairs

Transmitted herewith for your approval is legislation related to the Durand Eastman Beach Outfall Project. This legislation will authorize the issuance of bonds totaling \$230,000 and the appropriation of the proceeds thereof to partially finance design and construction of the project.

The Durand Eastman Beach Outfall Project includes emergency and permanent repairs to the existing underground culvert system at the outfall of Sherry Swamp to Lake Ontario adjacent to Durand Eastman Beach.

Since 2006, the City has operated the swimming area at Durand Eastman Beach as conditionally permitted by the Monroe County Health Department, and is required to provide improvements to comply with the New York State Sanitary Code. In partial satisfaction of that, the City constructed an antimicrobial storm water treatment system connected to the Sherry Swamp outfall in 2013.

The improvements were funded in part by a grant from a U.S. Environmental Protection Agency, appropriated by Ordinance 2010-332 (\$728,000) and in part by Bond Ordinance 2013-26 (\$442,000).

Following the completion of the project, the existing outfall pipe failed and required emergency repairs at a cost of \$146,800. In addition, the remaining culvert system is in need of replacement,

at an estimated cost of \$362,700.

Funding for the Water quality improvements, emergency and permanent repairs is shown in the table below:

Funding	Water Quality Improvements		
	Emergency Repairs	Culvert Replacement	Total
Bond (2013-26)		\$442,000	
\$ 0	\$ 0		\$ 442,000
Bond (herein)		0	
74,300	155,700		230,000
EPA Grant (2013-332)		448,500	
72,500	207,000		728,000
Total		\$890,500	
\$146,800	\$362,700		\$1,400,000

Construction of improvements is anticipated in spring 2015.

The bond funding for the emergency and culvert replacement will result in the creation/retention of the equivalent of 2.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No AN-174

Ordinance No. 2014-289
(Int. No. 306, as amended)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$230,000 bonds of said City to finance the cost of design and construction of the Durand Eastman Beach Outfall Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of construction of emergency and permanent repairs to an underground culvert system at the outfall of Sherry Swamp to Lake Ontario adjacent to Durand Eastman Beach, in the City (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$447,000. The plan of financing includes the issuance of \$230,000 bonds of the City, and said amount is hereby appropriated therefor, together with the application of \$217,000 from the United States Environmental Protection Agency appropriated in Ordinance No. 2010-332, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$230,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the

State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$230,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

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

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-290
Re: Amendatory Agreement - Vanguard Engineers, Resident Project Representation Services

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

Transmitted herewith for your approval is legislation establishing maximum compensation for an amendatory agreement with Vanguard Engineers, Rochester, New York, for additional resident project representation (RPR) services. The original agreement was authorized after a request for proposal process in August 2012 in the amount of \$380,000 (Ord. No. 2012-333). This amendment will increase maximum compensation by \$100,000 to a total of \$480,000 and extend the term of the agreement for two additional years. The cost of the agreement will be funded from 2012-13 Cash Capital allocation of the Local Works Fund.

Vanguard is currently performing RPR services on hazardous sidewalk projects. These projects are on-going, and continuing with Vanguard will ensure continuity of service. Typically, RPR services for City-designed construction projects are provided by either City personnel or private consultants on a project-by-project basis. However, during peak periods of the summer construction season, sufficient City personnel are not available to inspect all of the City's projects, and term agreements are used to increase efficiency.

Work on hazardous sidewalks demands both technical expertise and a high degree of customer service to the public, both of which Vanguard has consistently provided. Vanguard has recently been

certified as an Hispanic American Minority Business Enterprise business.

The project will result in the creation/retention of the equivalent of 1.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-290
(Int. No. 307)

Establishing maximum compensation for an amendatory professional services agreement with Vanguard Engineering P.C. for resident project representation services

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

Section 1. The sum of \$100,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement with Vanguard Engineering P.C. for resident project representation services, increasing the maximum amount previously authorized to a total of \$480,000. Said amount, \$100,000, shall be funded from the 2012-13 Cash Capital Local Works Fund. The agreement shall also be extended for an additional two year term.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-291,
Ordinance No. 2014-292 and
Ordinance No. 2014-293
Re: Elk Street Group
Reconstruction/Rehabilitation

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Elk Street Group Reconstruction/Rehabilitation Project. This legislation will:

1. Establish \$175,000 as maximum compensation for a professional services agreement with T.Y. Lin International, Rochester, New York, for resident project representation (RPR) services;
2. Authorize the issuance of bonds totaling \$800,000 and appropriate the proceeds thereof to partially finance the street portion of the Project;
3. Authorize the issuance of bonds totaling \$290,000 and appropriate the proceeds thereof to partially finance the water portion of the Project; and

4. Appropriate \$250,000 from the Residential Street Rehabilitation fund of the General Community Needs allocation of the 2013-14 Community Development Block Grant to partially finance this project.

The Elk Street Group Reconstruction/Rehabilitation Project will reconstruct three residential streets in the northwest quadrant; street width changes were authorized by Council in May 2013 (Ord. No. 2013-146). T.Y. Lin International was selected for RPR services through a request for proposal process, which is described in the attached summary.

The project includes the reconstruction of Elk Street, Moose Street and La Grange Avenue (Electric - Ridgeway Avenues) and the rehabilitation of La Grange Avenue (Ridgeway Avenue - Elk Street). New water mains will be installed on Moose and Elk Streets and water system upgrades will be made on La Grange Avenue. Driveway aprons, catch basins and substandard sidewalks will be replaced throughout the project.

Bids for construction were received on August 5, 2014. The apparent low bid of \$1,134,823 was submitted by Villager Construction, Inc., which is 18.13% less than the engineer's estimate. An additional \$115,800 will be allocated for project contingencies.

The funding sources for the project based upon the bid amount are as follows:

Funding RPR	Construction	
	Contingency	Total
Street bond \$139,000	\$ 9,148	\$ 651,852 \$ 800,000
Water bond 36,000	21,029	232,971 290,000
CDBG 0	0	250,000 250,000
2012-13 Cash Capital (Water Fund) 0	2,271	0 2,271
2012-13 Cash Capital 0	83,352	0 83,352
Total \$175,000	\$115,800	\$1,134,823 \$1,425,623

A public informational meeting on this project was held on May 7, 2013, and meeting minutes were submitted to Council for the May 2013 meeting. The pavement width changes were endorsed by the Traffic Control Board at its April 16, 2013 meeting.

Construction is scheduled to commence in fall 2014 and be completed in summer 2015. The project will result in the creation/retention of the equivalent of 14.2 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-175

Ordinance No. 2014-291
(Int. No. 308)

Authorizing an agreement with T.Y. Lin International Group for resident project representation services for the Elk Street Group Reconstruction and Rehabilitation Project and appropriating funds

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

Section 1. The Mayor is hereby authorized to enter into an agreement with T.Y. Lin International Group for resident project representation services for the Elk Street Group Reconstruction and Rehabilitation Project in an amount not to exceed \$175,000. Said amount shall be funded by the bond ordinances to be authorized for this Project.

Section 2. The amount of \$250,000 is hereby appropriated for the Elk Street Group Reconstruction and Rehabilitation Project from the Residential Street Rehabilitation fund of the General Community Needs allocation of the 2013-14 Consolidated Community Development Plan funded by Community Development Block Grant.

Section 3. The agreement may extend until three months after completion and acceptance of a two year guarantee inspection of the Project.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-292
(Int. No. 309)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$800,000 bonds of said City to finance the costs of construction and reconstruction of streets as part of the Elk Street Group Reconstruction and Rehabilitation Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of certain streets related to the Elk Street Group Reconstruction and Rehabilitation Project in the City (the "Project") on the streets listed herein. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,425,623, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$800,000 bonds of the City to finance said appropriation; issuance of \$290,000 in bonds to finance the cost of water main construction, \$250,000 from Community Development Block

Grant Funds; \$2,271 from Cash Capital (Water Fund); \$83,352 from Cash Capital; and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Elk Street Group Reconstruction and Rehabilitation Project:

Elk Street
Moose Street
LaGrange Avenue

Section 2. Bonds of the City in the principal amount of \$800,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$800,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20. of the Law, is fifteen (15) years.

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

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially

level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed unanimously.

Ordinance No. 2014-293
(Int. No. 310)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$290,000 bonds of said City to finance the costs of construction and reconstruction of water mains as part of the Elk Street Group Reconstruction and Rehabilitation Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of certain water mains related to the Elk Street Group Reconstruction and Rehabilitation Project in the City (the "Project") on the streets listed herein. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$290,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$290,000 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to

pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Elk Street Group Reconstruction and Rehabilitation Project:

Elk Street
Moose Street
LaGrange Avenue

Section 2. Bonds of the City in the principal amount of \$290,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$290,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 1. of the Law, is forty (40) years.

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

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

or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

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

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

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

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-294 and
Ordinance No. 2014-295
Re: Center City Two-Way Conversion
Project

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation related to the Center City Two-Way Conversion Project. This legislation will:

1. Authorize the issuance of bonds totaling \$909,000 and the appropriation of the proceeds thereof to partially finance street improvements for the Project; and
2. Authorize a change in the direction of traffic flow on Bittner Street between Cumberland Street to 90' north of Andrews Street from one-way southbound traffic to two-way traffic.

The Center City Two-Way Conversion Project implements the planned two-way conversion of St. Paul Street and North Clinton Avenue between East Main Street and Cumberland Street, and the conversion of a portion of Bittner Street from two-way

to one-way. The project includes the milling and resurfacing of St. Paul Street (East Main Street to Cumberland Street), North Clinton Avenue (East Main Street to Cumberland Street) and East Main Street (St. Paul Street/South Avenue to N./S. Clinton Avenue), plus modifications to pavement markings, traffic signals, signing, and limited changes to curbs lines.

Bids for construction were received on July 29, 2014. The apparent low bid of \$2,049,582 was submitted by Villager Construction, Inc. which is 19.7% more than the engineer's estimate. In addition to an item included in the construction contract to pay for field changes, an additional \$55,500 will be allocated for project contingencies, bringing the total amount for contingencies to \$161,500.

The funding for the project, including the cost of the purchase of traffic signal poles and signal mast arms are as follows:

<u>Funding</u>	<u>Construction</u>	<u>Traffic</u>	<u>RPR</u>	<u>Contingency</u>	<u>Total</u>
Federal grant	\$ 562,500				\$ 562,500
State grant	70,132				70,132
Proposed bond	906,500			\$2,500	909,000
Bond Ord. No.2014-008	432,340	\$39,660	\$200,000		672,000
2011-12 Cash Capital	31,159				31,159
2013-14 Cash Capital	0			50,650	50,650
Prior years' Cash Capital					
Water Fund	9,225				9,225
2012-2013 Cash Capital					
Water Fund	37,726			2,350	40,076
Total	\$2,049,582	\$39,660	\$200,000	\$55,500	\$2,344,742

The amended change in direction of traffic on a portion of Bittner Street should provide the operational and safety benefits wanted by disallowing the cut through traffic from Andrews Street that now exists, while keeping the convenience of a two-way street for vehicles accessing buildings along Bittner Street.

The Traffic Control Board will consider the direction change at its meeting of September 3, 2014; the board's decision will be forwarded.

The project will begin construction in September, will be able to open St. Paul Street and N Clinton Avenue to two-way traffic by this fall before the RGRTA Transit Center goes operational, and will be substantially complete by the spring of 2015.

The project will result in the creation/retention of the equivalent of 23.3 full-time jobs.

A public hearing is required on the traffic flow change.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AN-176

Ordinance No. 2014-294
 (Int. No. 312)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$909,000 Bonds of said City to finance the reconstruction of certain streets related to Center City Two-Way Conversion Project

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of reconstruction of certain streets related to the Center City Two-Way Conversion Project in the City, as described below. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,344,742, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$909,000 bonds of the City to finance said appropriation plus \$562,500 in Federal grant funds, \$70,132 in New York State grant funds, \$672,000 in previously authorized bond funds, \$131,110 in Cash Capital funds, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

The Center City Two-Way Conversion Project includes milling and resurfacing and modifications to pavement markings, traffic signals, signage and curb lines of:

St. Paul Street from East Main Street to Cumberland Street

North Clinton Avenue from East Main Street to Cumberland Street

East Main Street from St Paul Street/South Avenue to N. Clinton/S. Clinton Avenue

Section 2. Bonds of the City in the principal amount of \$909,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$909,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20. of the Law, is fifteen (15) years.

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

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

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

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

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

Passed unanimously.

Ordinance No. 2014-295
(Int. No. 313)

Changing the traffic flow on Bittner Street

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

Section 1. The Council hereby approves a change in the direction of the traffic flow on Bittner Street between Cumberland Street and a point ninety feet North of Andrews Street from one-way southbound traffic to two-way traffic.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-296
Re: Agreement - Sam Schwartz
Engineering D.P.C., East Main
Arts & Market District Plan

Transmitted herewith for your approval is legislation related to the East Main Arts & Market District Plan. This legislation will:

1. Appropriate \$85,000 in anticipated reimbursements of Federal Highway Administration (FHWA) planning funds received through a grant from the Genesee Transportation Council for development of the East

Main Arts & Market District Plan; and

- 2. Establish \$120,000 as maximum compensation for an agreement with Sam Schwartz Engineering D.P.C., New York, New York, for planning and engineering services required for development of the East Main Arts & Market District Plan. The cost of the agreement will be financed from the FHWA funds appropriated herein (\$85,000), 2014-15 Cash Capital allocation of the Department of Environmental Services (\$15,000), and Community Development Block funds (\$10,000 from the 2013-14 Quadrant Plan Support allocation of the Neighborhood and Asset Based Planning Fund and \$10,000 from the 2010-11 Quadrant Plan Support allocation of the Neighborhood and Asset Based Planning Fund).

This project will create a plan for the areas immediately east of Rochester's Center City, which is home to both the Neighborhood of the Arts and the Rochester Public Market, that enhances multimodal circulation, strengthens the commercial presence on Main Street, expands housing opportunities, improves accessibility for residents, businesses, and visitors, and ameliorates parking issues.

The plan will also consider branding strategies with a goal of giving the neighborhood a recognizable identity for both residents and visitors. Such strategies may build upon existing brands in the Neighborhood of the Arts and/or Public Market Village District or may develop a new brand/identity for the area.

Sam Schwartz Engineering D.P.C. was selected through a request for proposal process described in the attached summary.

Planning and engineering services will begin in fall 2014 with scheduled completion in summer 2015. The study will result in the creation/retention of the equivalent of 1.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-177

Ordinance No. 2014-296
(Int. No. 321)

Appropriating funds and authorizing agreements for the East Main Arts & Market District Plan

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Genesee Transportation Council for receipt and use of funds in the amount of \$85,000 in reimbursements from Federal Highway Administration funding, and said amount is hereby appropriated to fund the development of the East Main Arts & Market District Plan.

Section 2. The sum of \$120,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Sam Schwartz Engineering D.P.C. for planning and engineering services for the East Main Arts & Market District Plan. The cost of said agreement shall be funded as follows: \$85,000 from the Federal Highway Administration funds appropriated herein; \$15,000 from the 2014-15 Cash Capital allocation of the Department of Environmental Services; \$10,000 from the 2013-14 Quadrant Plan Support allocation of the Neighborhood and Asset Based Planning Fund of the Community Development Block Grant and \$10,000 from the 2010-11 Quadrant Plan Support allocation of the Neighborhood and Asset Based Planning Fund of the Community Development Block Grant. The agreement shall be for a term of one year with an optional one year renewal.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-297
Re: Agreement - Stantec Consulting Services, Inc., Roxie Sinkler Water Spray Park

Council Priority: Creating and Sustaining a Culture of Vibrancy; Public Safety

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with Stantec Consulting Services, Inc., Rochester, New York, for design and resident project representation (RPR) services for the Roxie Sinkler Water Spray Park project. The cost of the agreement will be financed from the 2004-05 (\$7,184.49), 2005-06 (\$15,210.79), and 2006-07 (\$27,604.72) Neighborhood Aquatics allocation of the General Community Needs fund of the Community Development Block Grant.

The project includes the installation of a water spray park with concrete surfacing, utilities and appurtenances, site grading, an accessible walkway and furnishings. The estimated construction cost is \$265,660 and will be funded from the Neighborhood Aquatics allocation of the General Community Needs fund of remaining Consolidated Community Development Plans as authorized in July 2014 via Ordinance No. 2014-236 (\$200,660), and \$65,000 in 2013-14 Cash Capital, as proposed in the year-end 2013-14 Budget amendment.

Stantec Consulting Services, Inc. was selected for design and RPR services based on its familiarity with the project and to maintain the planned spring

2015 construction schedule. A full justification for not issuing a request for proposal is attached.

Design and RPR services will begin in fall 2014; construction is anticipated to begin in spring 2015, with scheduled completion in summer 2015. The agreement will result in the creation/retention of the equivalent of 0.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-178

Ordinance No. 2014-297
(Int. No. 324)

Establishing maximum compensation for a professional services agreement with Stantec Consulting Services, Inc. for design and resident project representation services

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

Section 1. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement with Stantec Consulting Services, Inc. for design and resident project representation services, for the Roxie Sinkler Water Spray Park Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the projects for which the services were provided. The cost of the agreement will be financed from the 2004-05 (\$7,184.49), 2005-06 (\$15,210.79), and 2006-07 (\$27,604.72) Neighborhood Aquatics allocation of the General Community Needs fund of the Community Development Block Grant.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-298
Re: La Avenida Streetscape
Improvements Phase II

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation related to La Avenida Streetscape Improvements Phase II project. This legislation will:

1. Authorize acquisitions, by negotiation or condemnation, of five parcels noted below, for the construction of gateway and streetscape enhancements; and
2. Authorize a decrease in the pavement width of North Clinton Avenue at four locations for the installation of curb bump-outs, as detailed

below and on the attached map:

- a. a 6' decrease in width from 44' to 38', beginning approximately 96 feet south of the Rauber Street intersection and continuing southerly approximately 54'; and
- b. a 6' decrease in width from 42' to 36', beginning approximately 61 feet north of the LaForce Street intersection and continuing northerly approximately 54'; and
- c. a 6' decrease in width from 42' to 36', beginning at the Treyer Street intersection and continuing southerly approximately 54'; and
- d. a 6' decrease in width from 42' to 36', beginning at the southern curb line of Burbank Street and continuing southerly approximately 34'.

The project includes streetscape improvements and enhancements for North Clinton Avenue (Upper Falls Boulevard to Norton Street) to match the previously completed Phase I improvements. Improvements will include new ornamental street lighting with pedestrian level lighting, bicycle racks, planters, a bus shelter, enhanced crosswalks and new Americans with Disabilities Act compliant pedestrian ramps at all crossings, select curb and sidewalk repair, tree plantings, roadway restriping, four bump-outs, and a gateway feature at Norton Street. Funding for the project was appropriated via Ordinance No. 2012-448 as part of the Capital Project Acceleration Initiative. Design services for the project were authorized via Ordinance No. 2013-102.

The acquisitions are required for the installation of the proposed improvements. The values of these properties were established by an independent appraisal performed by Bruckner, Tillett, Rossi, Cahill and Associates as authorized in Ordinance 2013-220. The total acquisition costs, including closing costs, will not exceed \$5,000 and will be financed from Bond Ordinance No. 2012-448.

<u>Address</u>	<u>Property Owner</u>	<u>Sq. Ft.</u>	<u>Value</u>
1383-1415 N Clinton	Amerasia Enterprises, Inc.	228	\$500
1383-1415 N Clinton	Amerasia Enterprises, Inc.	775	\$1,600
1430 N Clinton	Lipari Development LLC	309	\$800
1439-1441 N Clinton	Newal Shdaibi	70	\$200
1439-1441 N Clinton	Newal Shdaibi	177	\$100

The estimated cost of construction, including inspection and contingencies is \$1,250,000.

Design of the project will be completed in the fall 2014 and construction will begin in the spring 2015, with substantial completion in summer 2015.

A public informational meeting was conducted on

December 19, 2013; meeting minutes are attached. The Traffic Control Board will review the pavement width changes at its September 3, 2014 meeting; its decision will be forwarded to City Council.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-179

Ordinance No. 2014-298
(Int. No. 311)

Approving geometric changes to North Clinton Avenue and property acquisitions related to the La Avenida Streetscape Improvements Phase 2 Project

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

Section 1. The Council hereby approves the following changes in the pavement width of North Clinton Avenue as part of the La Avenida Streetscape Improvements Phase 2 Project

Changes to pavement width of North Clinton Avenue

- a. a six (6') foot decrease in width from 44' to 38', beginning approximately 96 feet south of the Rauber Street intersection and continuing southerly approximately 54', and;
- b. a six (6') foot decrease in width from 42' to 36', beginning approximately 61 feet north of the LaForce Street intersection and continuing northerly approximately 54', and;
 - a six (6') foot decrease in width from 42' to 36', beginning at the Treyer Street intersection and continuing southerly approximately 54', and;
- c. a six (6') foot decrease in width from 42' to 36', beginning at the southern curb line of Burbank Street and continuing southerly approximately 34'.

Section 2. The Council hereby approves the acquisition of the parcels described below by negotiation or condemnation as part of the La Avenida Streetscape Improvements Phase 2 Project. The acquisition costs shall not exceed \$5,000 including closing costs and shall be funded from funds appropriated in Bond Ordinance No. 2012-448.

<u>Address</u>	<u>Property Owner</u>	<u>Sq. Ft.</u>	<u>Value</u>
1383-1415 N Clinton	Amerasia Enterprises, Inc.	228	\$500
1383-1415 N Clinton	Amerasia Enterprises, Inc.	775	\$1,600

1430 N Clinton	Lipari Development LLC	309	\$800
1439-1441 N Clinton	Newal Shdaibi	70	\$200
1439-1441 N Clinton	Newal Shdaibi	177	\$100

Section 3. The changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Haag moved to amend Int. No. 326.

The motion was seconded by Councilmember Palumbo.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-299
Re: Inner Loop East Transformation Project

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the Inner Loop East Transformation project. This legislation will:

1. Appropriate \$16,781,036 in anticipated reimbursements from the Federal Highway Administration (FHWA) 2013 Transportation Investment Generating Economic Recovery (TIGER) discretionary grant funding to finance a portion of the construction of the project;
2. Appropriate \$2.4 million in anticipated reimbursements from the New York State Multi-Modal funding to finance a portion of the construction of the project;
3. Appropriate \$2.4 million in anticipated reimbursements from the New York State Highway and Bridge Project Acceleration Initiative funding to finance a portion of the construction of the project;
4. Establish \$3,650,000 as maximum compensation for an agreement with Stantec Consulting Services, Inc. for resident project representation (RPR) and construction phase design services for the project;
5. Establish \$225,000 as maximum compensation for an agreement with Rochester Research Associates for project labor agreement (PLA) monitoring services on the project; and

- 6. Approve the acceptance of a portion of the Inner Loop East right-of-way abandoned by the New York State Department of Transportation.

The Inner Loop East Transformation project was awarded up to \$17.7 million in 2013 TIGER discretionary grant funding, and is one of only 52 transportation projects nationwide to receive TIGER funding. This project will remove the aging fifty-year-old eastern segment of the Inner Loop expressway between Broadway and Richmond Street and replace it with appropriately-scaled, complete streets along Howell, South Union and North Union Streets. These new at-grade streets will enhance the area's livability, allowing people to walk and bicycle between neighborhoods and downtown more easily. Removing this portion of the Inner Loop will result in approximately 5.8 acres of new sites for redevelopment in the East End, a growing downtown district and destination location for local residents and visitors.

Bids for construction of the Inner Loop East Transformation project were received August 18, 2014. The apparent low bid of \$16,576,295 was submitted by Concrete Applied Technologies Corporation (CATCO) which is 20.76% less than the engineer's estimate. An additional \$929,741 will be allocated for project contingencies, additional street lighting materials and Monroe County fiber relocation costs.

The funding sources for the project based upon the bid amount are as follows:

<u>Funding</u>	<u>Construction</u>	<u>RPR</u>	<u>PLA Monitoring</u>	<u>Project Administration</u>	<u>Contingency</u>	<u>Total</u>
Federal	\$13,261,036	\$2,920,000	\$180,000	\$160,000	\$260,000	\$16,781,036
NYS	3,315,259	730,000	45,000	40,000	669,741	4,800,000
Total	\$16,576,295	\$3,650,000	\$225,000	\$200,000	\$929,741	\$21,581,036

Construction of the project will begin in fall 2014 with anticipated completion by fall 2017. The construction of the Inner Loop East Transformation project will result in the creation or retention of the equivalent of 235 full-time jobs.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AN-180

Ordinance No. 2014-299
 (Int. No. 326, as amended)

Authorizing agreements and appropriating funds for the Inner Loop East Transformation Project

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

Section 1. The sum of \$16,781,036 in anticipated reimbursements from the Federal Highway Administration (FHWA) 2013 Transportation Investment Generating Economic Recovery (TIGER) discretionary grant funding, is hereby appropriated to finance a portion of the construction of the Inner Loop East Transformation Project (the "Project").

Section 2. ~~The sum of \$2.4 million in anticipated reimbursements from the New York State Multi-Modal funding is hereby appropriated to finance a portion of the construction of the Project; and the sum of \$2.4 million in anticipated reimbursements from the New York State Highway and Bridge Project Acceleration Initiative funding \$4,214,075 in anticipated reimbursements from the State of New York is hereby appropriated to finance a portion of the construction of the Project.~~

Section 3. The Mayor is hereby authorized to enter into a professional services agreement in an amount not to exceed \$3,650,000 with Stantec Consulting Services, Inc. for construction phase design and resident project representation services for the Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the projects for which the services were provided. The cost of the agreement shall be financed by \$2,920,000 of the Federal Highway Administration funds appropriated in Section 1 herein, and \$730,000 in New York State funds appropriated in Section 2 herein.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement in an amount not to exceed \$225,000 with Rochester Research Associates, LLC for Project Labor Agreement monitoring services for the Project. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the projects for which the services were provided. The cost of the agreement shall be financed by \$180,000 of the Federal Highway Administration funds appropriated in Section 1 herein, and \$45,000 in New York State funds appropriated in Section 2 herein.

Section 5. The Council hereby approves the acceptance of right of way abandoned by the New York State

Department of Transportation under an Official Order constituting a portion of the Inner Loop East, said right of way to remain in transportation use.

Section 6. The Mayor is hereby authorized to enter into any agreement necessary to acquire the right of way abandoned by New York State for the purposes of the Inner Loop East Transformation Project, and said agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 8. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 305
Re: Bonds - East End Parking Garage
Rehabilitation Project

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the issuance of bonds totaling \$2,265,000 and the appropriation of the proceeds thereof to finance the East End Parking Garage Rehabilitation Project.

In May 2014, City Council authorized an agreement with T.Y. Lin International for \$615,000 for engineering design and resident project representation services (Ord. No. 2014-130).

The East End Parking Garage is located at the southwest corner of Scio and East Main Streets, in the City's East End District. The project includes post-tension tendon repairs in the existing concrete deck slabs, related repairs to structural components, deck waterproofing and sealing, and drainage structures replacement. Deficiencies in mechanical, electrical, plumbing, Americans with Disabilities Act code compliance, signage and public safety may also be addressed as budget allows.

The project is anticipated to be bid in November 2014. Construction is scheduled to begin in January 2015 with completion in December 2015. Total construction cost of the project, including contingency, is estimated at \$3,485,000 and will be funded as follows:

Bonds Requested Herein	2013-14 Cash Capital (Parking)	Total
Construction \$2,265,0000	\$1,220,000	\$3,485,000

The project will result in the creation/retention of the equivalent of 37.9 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 305

BOND ORDINANCE OF THE CITY OF ROCHESTER, NEW YORK AUTHORIZING THE ISSUANCE OF \$2,265,000 BONDS OF SAID CITY TO FINANCE THE COST OF THE EAST END (METRO CENTER) PARKING GARAGE REHABILITATION PROJECT

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the reconstruction or repair of the East End (Metro Center) Parking Garage in the City, being a Class "A" building, including but not limited to post-tension tendon repairs, deck waterproofing and sealing, repair to structural components, and drainage structures replacement (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,485,000. The plan of financing includes the issuance of \$2,265,000 bonds of the City, and said amount is hereby appropriated therefor, together with the application of \$1,200,000 in current City Cash Capital funds, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$2,265,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$2,265,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of

said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.12 of the Law, is twenty (20) years.

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

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

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

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

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Sec-

tion 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Held in Committee.

By Councilmember McFadden
September 16, 2014

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 314 - Authorizing a grant agreement with the New York State Office of the Attorney General and amending the Budget

Int. No. 315 - Authorizing a grant agreement with the New York State Division of Criminal Justice Services and appropriating funds

Int. No. 316 - Authorizing an agreement for an educational tracking management system for the Rochester Fire Department

Int. No. 317 - Authorizing an agreement for the HEART Coalition for a Drug-Free Rochester Program as amended

Int. No. 318 - Authorizing an agreement with Monroe County for funding of youth recreation and youth development programming

Int. No. 319 - Authorizing an agreement with the Rochester Area Community Foundation for the Quad A For Kids after school tutoring programs at City schools as amended

Respectfully submitted,
Adam C. McFadden (*Abstained on Int. No. 319*)
Matt Haag
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-300
Re: Agreement - New York State
Office of the Attorney General

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing agreements with the New York State Office of the Attorney General for the receipt and use of \$30,900 for two grants described below, and amending the 2014-15 Budget of the Police Department by \$4,800 and the 2014-15 Cash Capital allocation of the Police Department by \$26,100.

Community Overdose Prevention (COP) program
 This \$4,800 grant is to fight the destruction caused by prescription and illegal opioids and to prevent unnecessary deaths resulting from opioid overdose. The grant includes \$2,400 for the reimbursement of 40 complete naloxone kits and \$2,400 for training on using the kits. Naloxone is a proven lifesaver for people at risk of immediate death from an opioid overdose, including heroin or prescription pain pills. A naloxone kit consists of a zip bag or pouch containing two vials of naloxone, two mucosal atomization devices for nasal administration, one pair of latex gloves, and one booklet on the use of the drug. Naloxone provides more time for emergency medical personnel to arrive at the scene and transport the victim to a hospital by temporarily reversing some of the most dangerous effects of an opioid overdose. Reimbursements from this program must be requested by December 31, 2014.

Bullet Proof Vest (“inVEST”) Partnership
 This award, not to exceed \$26,100, will reimburse the Police Department for 50% of the purchase price of 62 protective vests. Twenty-five vests for new personnel and 37 replacement vests will be purchased. Reimbursements from this award must be requested by December 31, 2014.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2014-300
 (Int. No. 314)

Authorizing a grant agreement with the New York State Office of the Attorney General and amending the Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of the Attorney General for the receipt and use of a grant in the amount of \$4,800 for the Community Overdose Prevention Program. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$4,800 which amount is hereby appropriated from the grant funds authorized herein.

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York State Office of the Attorney General for the receipt and use of a grant in the amount of \$26,100 for the Bullet Proof Vest (inVEST) Partnership to reimburse the City for the cost of protective vests for members of the Rochester Police Department. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and Cash Capital allocation to the Rochester Police Department by the sum of \$26,100 which amount is hereby appropriated from the grant funds authorized herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2014-301
 Re: Agreement - New York State
 Division of Criminal Justice
 Services, Real-Time Crime
 Analysis Center Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Criminal Justice Services (DCJS) for the receipt and use of \$200,000 for a Real-Time Crime Analysis Center Grant supported by Byrne/Justice Assistance Grant funds.

DCJS is offering this grant to the Rochester Police Department (RPD) to support the conversion of the Monroe Crime Analysis Center (MCAC) at the Public Safety Building to a real-time crime center. The crime analysts working in MCAC are responsible for providing tactical crime research support for county-wide, in-progress incidents and proactive intelligence/analysis to on-duty personnel. The analysts are tasked with effectively providing swift and concise analytical support in a dynamic environment. The proposed equipment purchases center on a video wall that is designed to augment the current technological capacity of the crime analysts and create an environment that fosters collaboration within MCAC. The implementation of the video wall will increase the efficiency of the crime analysts by enabling the use of new analytical tools, providing access to real-time data, reducing the potential for duplication, and facilitating communication.

The grant funds will purchase equipment for the real-time crime center such as a server, video displays and office equipment, plus installation and a technology warranty. After the initial two-year preventative maintenance agreement, RPD will be responsible for any additional maintenance costs.

The funds from this grant are available through September 30, 2016. No matching funds are required.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Ordinance No. 2014-301
 (Int. No. 315)

Authorizing a grant agreement with the New York State Division of Criminal Justice Services and appropriating funds

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for the receipt and use of a grant in the amount of \$200,000 for the Real-Time Crime Analysis Center Grant, which amount is hereby appropriated from the grant funds authorized herein for the purpose of the purchase of equipment.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-302
Re: Agreement - Ninth Brain, Inc.,
Educational Tracking Management
System

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$17,520 as maximum compensation for an agreement with Ninth Brain, Inc., Grand Rapids, Michigan, for the provision and implementation of a web-based software educational tracking system for training certification and to facilitate state-mandated report generation. The agreement will be for one year, with two one-year renewals. The cost of the first year will be funded by the 2014-15 Budget of the Fire Department. Renewals will be funded by future Budgets of the Fire Department, contingent upon City Council approval, as follows: year two, \$11,900; and year three, \$12,300.

The Rochester Fire Department Training Division is responsible for the provision and tracking of education and professional certification requirements for firefighters. This includes, but is not limited to: Emergency Medical Technician (EMT), New York State Building Code Enforcement Officers, and Special Operations and Technical Rescue. In particular, EMT certifications are renewed every three years and report forms for each EMT certified uniform member verifying compliance must be submitted on an annual basis to New York State.

Ninth Brain, Inc. was selected through a request for proposal process described in the attached summary. The software provided by Ninth Brain, Inc. will improve and expedite the process of tracking various educational certifications throughout the Fire Department and reduce reliance upon paper files. It allows for Training Division staff and each employee to track their certifications through a web-based system that is accessible at all times. The system will also automatically notify employees and Training Division staff when re-

certifications are due, improving the Department's ability to ensure consistent compliance with mandated training and certification requirements for firefighters.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-181

Ordinance No. 2014-302
(Int. No. 316)

Authorizing an agreement for an educational tracking management system for the Rochester Fire Department

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Ninth Brain, Inc. for professional services with regard to an educational tracking management system for the Rochester Fire Department. The agreement shall have a term of one year with two optional one year renewals.

Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$17,520 in the first year, and said amount shall be funded from the 2014-15 Budget of the Fire Department. If renewed, the agreement shall obligate the City to pay an amount not to exceed \$11,900 in year two and \$12,300 in year three and said amounts shall be funded from the 2015-16 and 2016-17 budgets of the Fire Department, contingent on adoption thereof.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-303
Re: Agreements - HEART Coalition

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to a US Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMSA) grant project, the HEART Coalition for a Drug-Free Rochester. This legislation will:

1. Authorize an agreement with the US Department of Health and Human Services for the receipt and use of a \$125,000 grant for implementation of services provided by the HEART Coalition for a Drug-Free Rochester. This amount was anticipated and included in

the 2014-15 Budget of the Department of Recreation and Youth Services (DRYS).

- 2. Establish \$36,605 as maximum compensation for an agreement with Baden Street Settlement of Rochester, Inc., to act as fiduciary for Metro Council for Teen Potential (MCTP) to oversee the community needs assessment and social marketing.
- 3. Establish \$5,000 as maximum compensation for an agreement with Rochester Institute of Technology's Center for Public Safety Initiatives to compile evaluation data.

The cost of these agreements will be funded from the 2014-15 DRYS Budget.

The remaining \$83,395 of the grant will be used to fund personnel, supplies, and travel costs related to grant projects.

The HEART Coalition, a collaboration with MCTP, was originally funded by a five-year grant from the US Department of Health and Human Services, SAMSA, for approximately \$100,000 annually from 2005 through 2010. Based on the results of the first grant cycle, the City and its partners were awarded a second, five-year cycle of funding for approximately \$125,000 annually from September 30, 2010 until September 29, 2015.

The overall goal of the project is to reduce substance abuse, especially alcohol and marijuana, among youth ages 11-18, through the efforts of a community-wide coalition. A program description is attached.

The most recent Council action on this item was in Ordinance. No. 2013-384.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-182

Ordinance No. 2014-303
(Int. No. 317, as amended)

Authorizing an agreement for the HEART Coalition for a Drug-Free Rochester Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration for receipt and use of a \$125,000 grant for the HEART Coalition for a Drug-Free Rochester Program.

Section 2. The sum of \$36,605, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Baden Street Settlement of Rochester, Inc. as fiduciary for

the Metro Council for Teen Potential, for services relating to the HEART Coalition for a Drug-Free Rochester Program. Said amount shall be funded from the 2014-15 Budget of the Department of Recreation and Youth Services.

Section 3. The sum of \$5,000 or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Rochester Institute of Technology Center for Public Safety Initiatives for services relating to compilation of evaluation data for the HEART Coalition for a Drug-Free Rochester Program. Said amount shall be funded from the 2014-15 Budget of the Department of Recreation and Youth Services.

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

Section 5. This ordinance shall take effect immediately.

New text is underlined.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-304
Re: Agreement - Monroe County,
Rochester-Monroe County Youth
Bureau

Council Priority: Support the
Creation of Effective Educational
Systems

Transmitted herewith for your approval is legislation authorizing an agreement with the County of Monroe (on behalf of the Rochester-Monroe County Youth Bureau) for the receipt and use of \$63,055 to support recreation and positive youth development programming. These funds were anticipated and included in the 2014-15 Budget of the Department of Recreation and Youth Services.

The Rochester-Monroe County Youth Bureau annually receives funding from the New York State Office for Children and Family Services (OCFS) for youth development activities. Notification of the amount of State funding for calendar year 2014 was received on July 31, 2014 from the County. The grant must be expended by December 31, 2014. This will be year four of a five-year funding cycle by the County, which intends to issue an RFP in fall 2015 for youth services.

In 2013, 865 City recreation participants were served through this grant funding, and it is anticipated that 800 youth will be served in 2014.

The Youth Bureau, jointly established by the City and County, provides a County-wide planning and service delivery system devoted to the welfare and development of children and youth. The City is no longer being required by OCFS to provide funding

to support the administration of the Youth Bureau.

The most recent Council action on this item was in August 2013 via Ordinance No. 2013-299.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-304
(Int. No. 318)

Authorizing an agreement with Monroe County for funding of youth recreation and youth development programming

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

Section 1. The Mayor is authorized to enter into an agreement with the County of Monroe (on behalf of the Rochester-Monroe County Youth Bureau) for the receipt and use of funds in the amount of \$63,055 to be used to fund youth recreation and youth development programming. The agreement shall have a term of no more than one year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-305
Re: Agreement - Rochester Area
Community Foundation, Quad
A for Kids

Council Priority: Support the Creation of
Effective Educational Systems

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for an agreement with the Rochester Area Community Foundation to support the Quad A for Kids after-school tutoring program. The cost of this agreement will be funded from the Job Creation/Youth Development allocation of the General Community Needs fund of the 2014-15 Community Development Block Grant.

The Quad A after-school tutoring program will provide supplemental education for up to 430 children in grades 1-7, ages 6 through 13, at schools #4, #16, and #34 in southwest and northwest Rochester. The program provides academic assistance, teaches life-skills, oversees physical exercise in a safe environment and provides a hot dinner each day.

The most recent funding for this program was provided in Ordinance No. 2011-228.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-305
(Int. No. 319, as amended)

Authorizing an agreement with the Rochester Area Community Foundation for the Quad A For Kids after school tutoring programs at City schools

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Rochester Area Community Foundation for the Quad A For Kids after school tutoring programs at City schools.

~~Section 2. The agreement shall obligate the City to pay an amount not to exceed \$50,000, and said amount, or so much thereof as may be necessary, shall be funded from the Job Creation/Youth Development allocation of the General Community Needs fund of the 2014-15 Community Development Block Grant, and said amount is hereby appropriated for this purpose.~~

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$50,000, and said amount, or so much thereof as may be necessary, shall be funded by \$50,000 from the 2014-15 Budget for Undistributed Expense and said amount is hereby appropriated for this purpose.

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

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, Miller, Ortiz, Palumbo, Patterson Spaul - 8.

Nays - None - 0.

Councilmember McFadden abstained because of professional relationship.

The meeting was adjourned at 8:05 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
OCTOBER 14, 2014

Present - Councilmembers Conklin, Haag, McFadden, Miller, Palumbo, Patterson, Spaul - 7

Absent - President Scott, Councilmember Ortiz - 2.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:
Environmental Services
Leonard A. Banks
Police Department
*Eric D. Smith
*Did not attend meeting.

APPROVAL OF THE MINUTES
By Councilmember Haag

RESOLVED, that the minutes of the Regular Meeting of September 16, 2014 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:
Administrative Cancellation or Refund of Erroneous Taxes and Charges 4154-14
Quarterly Reports (2)
Loans & Grants 4155-14
Delinquent Receivables 4156-14

The Council submits Disclosure of Interest Forms from Councilmember Conklin on Int. Nos. 332 and 348, Councilmember Haag on Int. No. 332, and Councilmember Spaul on Int. No. 335.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Palumbo submits 2,500 signatures opposing port development Petition No. 1705

PUBLIC HEARINGS.

Pursuant to law public hearing will now be had on the following matter:

Authorizing the sale of property at 88-94 Elm Street to DHD Ventures, LLC, appropriating funds, authorizing a parking agreement and authorizing the granting and acceptance of easements Int. No. 339 No speakers.

Designating DHD Ventures, LLC as qualified and eligible to purchase and develop property at 88-94 Elm Street to further the objectives of the Midtown Urban Renewal Plan Int. No. URA-6 No speakers

Changing the zoning classification of 151 and 157 York Street from R-1 Low Density Residential District to M-1 Industrial District Int. No. 340 No speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
October 14, 2014

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 327 - Authorizing the cancellation of taxes and charges

Int. No. 328 - Appropriating Firefighters' Insurance Funds

Int. No. 329 - Establishing an Enhanced Incentive Program for Public Works Projects

Int. No. 330 - Establishing maximum compensation for a professional services agreement for an information technology disaster recovery assessment

Int. No. 331 - Authorizing a professional services agreement for legal services

Int. No. 332 - Authorizing an agreement for the sub-lease of storage space at the Rundel Memorial Library

Int. No. 353 - Approving a transfer of control of the city's cable television franchise

Respectfully submitted,
Carolee A. Conklin (*Abstained on Int. No. 332*)
Carla M. Palumbo
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-306
Re: Cancellation or Refund of
Erroneous Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$1,800.

The property located at 114 St. Stanislaus Street is a single family dwelling. The prior owner had been fined for code violations and the charges were added to the 2014-15 tax bill just prior to the sale on May 5, 2014. The new owner has abated all of the violations. A referral has been made to Municipal Code Violations Bureau to reinstate the fines as a judgment against the former owner.

If these cancellations are approved, total cancellations thus far for 2014-15 will be as follows:

	<u>Accounts</u>	<u>Amounts</u>
City Council	64	\$127,787.81
Administrative	<u>153</u>	<u>88,671.21</u>
Total	217	\$216,459.02

These cancellations represent 0.087% of the taxes receivable as of July 1, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-183

Ordinance No. 2014-306
(Int. No. 327)

Authorizing the cancellation of taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

- (A) The property located at 114 St. Stanislaus Street is a single family dwelling. The prior owner had been fined for code violations and the charges were added to the 2014-15 tax bill just prior to the sale on 5/9/2014. The new owner has abated all of the violations. A referral has been made to Municipal Codes Violations Bureau to reinstate the fines as a judgment against the former owner.

S.B.L. #:	91.65-3-22
Class:	H
Address:	114 St. Stanislaus Street
Tax Year:	2015
Cancelled:	\$1,800
Subtotal:	\$1,800
Grand Total:	\$1,800

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-307
Re: Firefighters' Insurance Fund

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing expenditures from the Firefighters'

Insurance Fund as per the settlement agreement between the Rochester Firefighters, Inc., Local 1071, IAFF, AFL-CIO and the City of Rochester dated August 7, 2012. The legislation will:

1. Appropriate a total of \$310,000 from the Firefighters' Insurance Fund at the request of the Rochester Firefighters Two Percent Committee (TPC) to benefit City firefighters; and
2. Appropriate a total of \$198,581.93 from the Firefighters' Insurance Fund for uses nominated by the City to benefit City firefighters.

The Firefighters' Insurance Fund is the City Fund established to collect and distribute monies received from the State pursuant to Sections 9104 and 9105 of the Insurance Law, and is under the custody of the City Treasurer.

Ordinance No. 2012-313 authorized the settlement agreement resulting from litigation brought by Rochester Firefighters Local 1071. These funds must be used in a manner that is consistent with the Court Order and with the provisions of Insurance Law Sections 9104 and 9105. Fund expenditures must be for the benefit of firefighters as provided in statutory law, case law, administrative rules and regulations, and the New York State Comptroller's Opinions.

In accordance with the settlement agreement, the firefighters have formed a not-for-profit corporation named the Rochester Firefighters TPC to be the firefighters' representative for purposes of the Fund. Items to be paid from the Fund may be nominated by the firefighters or by the City.

The following are firefighter nominated items submitted by the TPC to be appropriated from the Firefighters' Insurance Fund:

- 1) Fire house items set forth in Section 1G of the original agreement (\$90,000);
- 2) Fire house items not identified in Section 1G of the agreement, to be approved by the TPC in accordance with the State Comptroller's Opinions and Insurance Law Sections 9104 and 9105 (\$200,000); and
- 3) Legal and accounting expenses (\$20,000).

The following are City nominated items submitted by the TPC to be appropriated from the Firefighters' Insurance fund:

- 1) Snow plow services for apparatus bay driveways at firehouses (\$50,000);
- 2) Linen and laundry expense (\$80,000);
- 3) Small equipment and minor firehouse renovations (\$63,081.93); and
- 4) Audit of the Firefighters' Insurance Fund held by the City of Rochester and the TPC (\$5,500).

The City of Rochester has engaged Freed Maxick to conduct an audit of the Firefighters' Insurance Fund held by the City of Rochester and the TPC. The cost of the audit is \$5,500, of which the City will pay 30% and the TPC will pay 70% of the auditing fee, as per Section 1J of the agreement. The cost of the audit will be funded from the respective Two Percent Fund accounts controlled by the City of Rochester.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-307
(Int. No. 328)

Appropriating Firefighters' Insurance Funds

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

Section 1. The following funds are hereby appropriated from the Firefighters' Insurance Fund for the following purposes to benefit the firefighters of the City:

City Nominated Items:

- 1) Snow plow services for apparatus bay driveways at firehouses (\$50,000).
- 2) Linen and laundry expense (\$80,000).
- 3) Small equipment and minor firehouse renovations (\$63,081.93)
- 4) Audit of the Two Percent Fund held by the City of Rochester and the Two Percent Committee (\$5,500)

City Total: \$198,581.93

Firefighter Nominated Items:

- 1) Fire house items set forth in Section 1G of the original settlement agreement dated August 7, 2012 (\$90,000).
- 2) Fire house items not identified in Section 1G of the agreement, to be approved by the Two Percent Committee in accordance with New York State Comptroller's Opinions and Insurance Law Sections 9104 and 9105 (\$200,000).
- 3) Legal and Accounting expenses (\$20,000).

Firefighter Total: \$310,000

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-308
Re: Enhanced Incentive Program -
Public Works Projects and Certain
Term Contracts

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation authorizing the creation of an enhanced incentive program for public works projects. The legislation will:

- 1. Increase the incentive bonus payment to 20% from 7% of the gross payroll paid to eligible city residents, and decrease the threshold amount of gross payroll of eligible city residents to 10% or more from 17%;
- 2. Lower the dollar amount of eligible prime contracts to \$50,000 from the current limit of \$250,000, and permit first tier subcontractors to be eligible for the bonus incentive as well as prime contractors;
- 3. Increase the pool of potential employees for contractors by adding three more economically distressed zip codes (14606, 14609 and 14613) to the six authorized in Ordinance No. 2003-346. The incentive program will be targeted to employees maintaining a bona fide residence within the portions of the 14604, 14605, 14606, 14608, 14609, 14611, 14613, 14614 and 14621 ZIP codes that are within the City boundaries;
- 4. Expand the types of projects that will qualify for the incentive program to include term contracts bid by the City for carpentry, electrical, HVAC, painting, plumbing and roofing services in addition to public works contracts;
- 5. Transfer \$100,000 from 2014-15 Budget of Undistributed Expenses to the Jobs Development Fund for the initial funding for this program; and
- 6. Repeal Ordinance No. 2003-346.

City Council created the first incentive program for public works projects via Ordinance No. 2003-346 and amended it via Ordinance No. 2009-76 in an effort to make the incentive requirement easier to meet. After more than ten years, however, only three contractors have applied for incentive payments under the current program requirements. This legislation seeks to remedy this situation.

While any given public works contract only has one prime contractor, often there are multiple subcontractors on the job, many of whom are M/WBE companies. Providing the incentive to these smaller firms will provide them with additional revenues and support their hiring from city neighborhoods experiencing high poverty and unemployment rates. Adding service contracts that utilize the trades to the incentive program will provide another mechanism by which city residents can learn trade skills, increasing their opportunity for future employment.

The incentive program will help the City accomplish two of our key strategic goals: workforce development and stabilize families and individuals. The basic premise for the program is straightforward - contractors who employ city residents will receive a bonus payment in addition to the amount of their contract.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-308
(Int. No. 329)

Establishing an Enhanced Incentive Program for Public Works Projects

WHEREAS, the unemployment rate in the City of Rochester is substantially higher than that of Monroe County, which as of July 2014 was 8.7% for the City while only 6.3% for the County, and

WHEREAS, this higher percentage of City unemployment is in part the result of substantial numbers of City residents who are unemployed due to a lack of job skills and experience, and

WHEREAS, improving the employment opportunities for City residents who live in economically distressed neighborhoods will result in the public benefit of an employed citizenry, including increased spending power, reduced crime and human services costs and stable City neighborhoods, and

WHEREAS, the City desires to encourage contractors on City construction projects to hire and provide meaningful work experiences for City residents who live in economically distressed neighborhoods by offering a bonus to prime contractors and first-tier subcontractors on public works projects if certain targets are met during the project for employment of qualified City residents,

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

Section 1. An incentive program shall be created based upon the formula set forth below, which shall provide an incentive payment at the completion of a public works contract, provided a contractor meets the targets for employing qualified City residents set forth in this ordinance.

Section 2. A qualified City resident shall be defined as one maintaining a bona fide residence within the portions of the 14604, 14605, 14606, 14608, 14609, 14611, 14613, 14614 and 14621 zip codes which are within the City boundaries.

Section 3. The employment of qualified City residents by the contractor(s) shall not be a condition of award of the contract, which will be awarded to the lowest responsive and responsible bidder, but instead shall be an incentive which may be applied for at the option of a contractor upon completion of the project.

Section 4. The Council of the City of Rochester

hereby finds the establishment of this incentive program to be for a public purpose, due to the opportunities for job creation and training for workers living in economically distressed areas within the City, with resulting increased spending power, reduced crime and human services costs and stabilized City neighborhoods.

Section 5. The incentives available under this program shall apply to all City public works projects with a prime contract amount of \$50,000 or more.

Section 6. Public works projects for purposes of this incentive program shall be defined as all publicly bid individual contracts for work on public buildings and infrastructure, and term services contracts for carpentry, electrical, HVAC, painting, plumbing and roofing services.

Section 7. The incentive program shall apply to any prime contractor and any and all first-tier subcontractors who fulfill their contractual obligations for the project.

Section 8. In order to qualify for the incentive, the prime contractor and/or any first tier subcontractor must demonstrate that 10% or more of their total gross payroll for the project was paid to qualified City residents.

Section 9. After determining eligibility as set forth in Section 8 above, an incentive equal to 20% of the gross payroll paid to qualified City residents employed by the contractor on the contract shall be awarded to the contractor.

Section 10. The Director of Finance is authorized to adopt reasonable rules and regulations for the documentation of the incentive claims and the administration of the program.

Section 11. The sum of \$100,000, or so much thereof as may be necessary, is hereby transferred from the 2014-15 Budget for Undistributed Expense to the Jobs Development Fund to fund this incentive program.

Section 12. Ordinance No. 2003-346 is hereby repealed.

Section 13. This ordinance shall take effect for any new public works project awarded after November 1, 2014.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-309
Re: Agreement - Information Technology
Infrastructure Disaster Recovery
Assessment

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum compensation for a one-year agreement with iSecure, LLC for an Information Technology Disaster Recovery

Assessment. The cost of this agreement will be funded from the 2014-15 Cash Capital allocation of the Information Technology Department (IT).

This assessment will identify and prioritize the greatest areas of risk in the City's IT infrastructure and provide actionable recommendations. This is the first phase of creating a comprehensive plan for disaster recovery. As the IT landscape continues to grow and evolve, and our dependence on IT systems increases, we need to employ cost effective methods that keep IT up-to-date and reduces the risk of failures.

Vendors were selected through a request for proposal process described in the attached summary. The selected vendor is located in Monroe County and has M/WBE designation.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-184

Ordinance No. 2014-309
(Int. No. 330)

Establishing maximum compensation for a professional services agreement for an information technology disaster recovery assessment

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

Section 1. The sum of \$50,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and iSecure LLC for an information technology disaster recovery assessment. Said amount shall be funded from the 2014-15 Cash Capital allocation of the Information Technology Department. The agreement shall have a term of one year.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-310
Re: Agreement - Woods, Oviatt, Gilman, LLP, Legal Services

Transmitted herewith for your approval is legislation authorizing \$10,000 as maximum compensation for an agreement with the law firm of Woods, Oviatt, Gilman, LLP for representation in connection with a personnel matter. Outside counsel services were determined to be necessary because attorneys in the Law Department may be required to be witnesses in this matter. The firm was selected based upon the Corporation Counsel's evaluation of their expertise and experience with comparable legal issues. The cost of the agreement shall be funded from the 2014-15 Budget of the Law

Department.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-310
(Int. No. 331)

Authorizing a professional services agreement for legal services

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

Section 1. The sum of \$10,000, or so much thereof as may be necessary, is hereby established as the maximum compensation to be paid for a professional services agreement between the City and Woods Oviatt Gilman LLP for legal representation of the City. Said amount shall be funded from the 2014-15 Budget of the Law Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-311
Re: Lease Agreement - Rochester Public Library, Rochester Historical Society

Transmitted herewith for your approval is legislation authorizing a lease agreement with the Rochester Historical Society for materials storage in the Rundel Memorial Library building.

Under the proposed sub-lease agreement with the Rochester Public Library, the Rochester Historical Society will store portions of its collections in a designated 2,500 square foot area in Rundel's upper stacks. The term of the agreement will be for one year, from September 1, 2014 through August 31, 2015. The Rochester Historical Society will pay the Rochester Public Library \$1,200 for use and access to the storage area under the proposed term.

The Rochester Public Library Board of Trustees approved the sub-lease agreement at its September 24, 2014 meeting.

A prior lease agreement with the Rochester Historical Society (Ord. No. 2008-372) expired June 30, 2014. The Historical Society closed operations to the public as of July 2014, and will vacate its museum and exhibit spaces in the Rundel building by the end of October.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-311
(Int. No. 332)

Authorizing an agreement for the sub-lease of storage space at the Rundel Memorial Library

WHEREAS, the Rochester Public Library has received a proposal for the sub- lease of space in the Rundel Memorial Library Building to the Rochester Historical Society for a term of one year; and

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

WHEREAS, the Council has reviewed the terms of the proposed lease; and

WHEREAS, the Council affirmatively finds that the proposed sub-lease is in the public interest, as the public benefit to be derived from the sub-lease is the preservation of the historical resources of both the Rochester Public Library and the Rochester Historical Society.

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

Section 1. The Mayor, together with the Rochester Public Library, is hereby authorized to enter into an agreement for the sub-lease of space in the Rundel Memorial Library Building to the Rochester Historical Society. The agreement shall extend for a term of one year from September 1, 2014 to August 31, 2015.

Section 2. The sub-lease agreement shall obligate the Rochester Historical Society to pay rent to the Rochester Public Library of \$1,200 for the one year term of the lease.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmember McFadden, Miller, Palumbo, Patterson, Spaul - 5.

Nays - None - 0.

Councilmember Conklin and Councilmember Haag both abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-312
Re: Transfer of Cable Television Franchise - Time Warner Cable, Inc. and Comcast Corporation

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing the transfer of the cable television franchise from Time Warner Cable Northeast LLC (Time Warner) to Comcast Corporation (Comcast). In order to consider this transfer, the City and Time Warner negotiated an agreement in response to the City’s long-held assertion that Time Warner has been underpaying the franchise fee owed to the City. Time Warner has agreed to pay \$1,300,000 to the City to settle past claims.

The City currently has a franchise agreement with a subsidiary of Time Warner to operate cable television. That franchise has been in effect since 1992, when the City approved an agreement with Greater Rochester Cablevision, Inc, which was later acquired by Time Warner.

Time Warner and Comcast have entered into an agreement whereby Time Warner will become a wholly-owned subsidiary of Comcast. The City, as the cable franchise authority in Rochester, New York, has received formal notice of this proposed merger and has been requested to consent to the transaction pursuant to Federal Communications Commission Form 394. Section 4A-8 of the Municipal Code states that a franchisee cannot assign the franchise, including the transfer of a controlling interest of the franchise, without prior approval by the Rochester City Council by an ordinance duly adopted by three-fourths of all members of Council.

The City has asserted for several years that Time Warner has underpaid the franchise fee that is owed under the franchise agreement. As a result of negotiations between the parties, the City has reached an agreement with Time Warner to settle this dispute over franchise fees, with Time Warner paying to the City the amount of \$1,300,000.

The transfer of the franchise will require the subsidiary of Comcast Corporation that becomes the transferee of the franchise to comply with all of the terms of the franchise agreement. After the merger is completed, the City will engage in negotiations with Comcast for a renewal of the franchise agreement for an additional term.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-185

Ordinance No. 2014-312
(Int. No. 353)

Approving a transfer of control of the city’s cable television franchise

WHEREAS, Time Warner Cable Northeast LLC (hereinafter “Franchisee”), a wholly owned subsidiary of Time Warner Cable Inc. (hereinafter “TWC”) and successor to Greater Rochester Cablevision, Inc., holds a cable television franchise (hereinafter “Franchise”) from the City of Rochester by virtue of a Cable Television Franchise Agreement (hereinafter “Agreement”) and the

City’s Cable Television Ordinance, codified at Chapter 4A of the City Code (hereinafter “Cable Ordinance”); and

WHEREAS, TWC and Comcast Corporation (“Comcast”) have requested that the City approve a transfer of control of the Franchisee and have sent a Federal Communications Commission (hereinafter “FCC”) Form 394 application (hereinafter “Application”) to the City requesting such approval; and

WHEREAS, pursuant to Agreement and Plan of Merger dated February 12, 2014 among TWC, Comcast and Tango Acquisition Sub, Inc. (“Tango”) (hereinafter referred to as the “Transaction”), TWC will merge with and into Tango, a wholly-owned subsidiary of Comcast, with TWC as the surviving company; and

WHEREAS, following the Transaction, TWC will be a wholly-owned subsidiary of Comcast with the Franchisee remaining as the Franchise holder responsible for performance of all obligations pursuant to the Franchise now under the ultimate ownership of Comcast; and

WHEREAS, Section 4A-8 of the Cable Ordinance states that a franchisee cannot assign the Franchise, including the transfer of a controlling interest of the Franchisee, without prior approval by the Rochester City Council by an ordinance duly adopted by three-fourths of all members of Council; and

WHEREAS, the City has received the Application, including materials pertaining to the legal, financial and technical qualifications of Comcast; and

WHEREAS, the Council has determined that the transfer of control over the Franchisee will not have a negative impact on the interests of the City.

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

Section 1: Approval of Transfer of Control. The Council hereby approves the transfer of control of the Franchisee arising from the Transaction effective as of the closing date of the Transaction, and to the corporate reorganization described in the Application in accordance with the terms and conditions of the Franchise and applicable law and regulations. This approval is contingent upon any required approval of the merger between TWC and Comcast by Federal and New York State regulatory authorities. The Mayor is hereby authorized to execute any agreements or documents required to approve this transfer of control.

Section 2: Post-Closing Obligations. The Franchisee shall continue to be bound by all responsibilities, obligations, liabilities, and rights contained in the Franchise after the closing of the Transaction until the Franchise is either renewed, not renewed, or terminated by the City pursuant to state and federal and law and regulations.

Section 3: Pre-Closing Obligations. This Or-

dinance does not relieve the Franchisee of responsibilities, obligations, liabilities, and rights, whether known or unknown, contained in the Franchise prior to the closing of the Transaction pursuant to federal law and regulations.

Section 4: Severability. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not render this Ordinance invalid.

Section 5: Effective Date. This Ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Palumbo
October 14, 2014

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 333 - Authorizing the sale of real estate

Int. No. 335 - Authorizing an agreement for the Emergency Solutions Grants Program for homelessness prevention services

Int. No. 336 - Authorizing a lease agreement with Hillside Children’s Center

Int. No. 337 - Appropriating funds and authorizing agreements for the Buyer Assistance Program

Int. No. 338 - Authorizing agreements for the Homebuyer Training Program

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 339 - Authorizing the sale of property at 88-94 Elm Street to DHD Ventures, LLC, appropriating funds, authorizing a parking agreement and authorizing the granting and acceptance of easements

The following entitled legislation is being held in Committee:

Int. No. 334 - Amending Section 90-16 of the Municipal Code with respect to certificates of occupancy

Int. No. 340 - Changing the zoning classification of 151 and 157 York Street from R-1 Low Density Residential District to M-1 Industrial District

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Michael A. Patterson
Dana K. Miller

Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-313
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

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

The first property was sold via a sealed bid. The buyer is an income eligible, first-time home buyer who is required to live in the home for a period of fifteen years.

The second property is a vacant lot sold by negotiated sale to the adjacent owner.

The third property is a vacant lot sold by negotiated sale to the adjacent owner who will combine the lot with his existing property.

The next two parcels are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to the adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these five properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$3,655.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-186

Ordinance No. 2014-313
(Int. No. 333)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the sale of the following parcel of improved property by sealed bid:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Use</u>	<u>Price</u>	<u>Purchaser</u>
34 King St	120.36-2-44	43x127	Single-family	\$89,900	Shanika Robinson

Section 2. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
1296 Clifford Av	106.35-1-74	46x118	5,428	\$450	Carriage House Autometrics, LLC*
43-43.5 Ontario St (Southwest portion)	106.65-2-14	40x10	400	\$50	John Joyner

*Sole Proprietor: Chet Hamann

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacantland for the sum of \$1.00:

<u>Address</u> <u>Sq. Ft.</u>	<u>S.B.L.#</u> <u>Purchaser</u>	<u>Lot Size</u>
215 Avenue E 5,894	091.77-5-17 Joseph Moise	38x153
852 Clifford Av 4,682	106.33-1-62 Carlos & Maria Rios	32x144

Section 4. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-314
Re: 2014-15 Consolidated Community
Development Plan - Emergency Solutions
Grants Program: Homelessness Prevention

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation related to the 2014-15 Emergency Solutions Grants (ESG) program as described in the Consolidated Community Development Plan (Con Plan). This legislation will:

1. Appropriate an amount not to exceed \$89,467 from the Housing Choice Fund allocation (ESG account) of the 2014-15 Con Plan for implementation of the program; and
2. Establish maximum compensation of \$89,467 for an agreement with Coordinated Care Services, Inc. (CCSI) for a homelessness prevention program. The cost of the agreement will be financed from the appropriations above.

This homelessness prevention program will meet a U.S. Department of Housing and Urban Development (HUD) requirement that entitlement communities establish a community-wide coordinated access system to support services for individuals and families who are homeless or at imminent risk of homelessness. Eligible coordinated access activities include: development, implementation and training of a common intake process; case management system and administrative oversight; and referrals to support services designed to stabilize households in permanent, habitable housing. CCSI, in collaboration with Catholic Family Services and Goodwill Industries of the Finger Lakes/2-1-1 LIFE LINE, was selected through a request for proposal process, which is described in the attached summary.

The Homeless Emergency Assistance and Rapid

Transition to Housing Act (HEARTH): ESG requires that grantees (City and County) collaborate with the community of homeless service providers. To that end, both the request for proposal and review processes were conducted jointly with Monroe County. Proposal selection was based upon priorities established by the Rochester/Monroe County Continuum of Care and by recommendations provided in the Homeless Resolution Strategy - Rochester and Monroe County Final Report authored by Housing Innovations, Inc.

The agreement term will be for one year, with option to extend for an additional year if funds remain in the original appropriation.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-187

Ordinance No. 2014-314
(Int. No. 335)

Authorizing an agreement for the Emergency Solutions Grants Program for homelessness prevention services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Coordinated Care Services, Inc. for homelessness prevention services under the Emergency Solutions Grants Program.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$89,467, and said amount, or so much as may be necessary, is hereby appropriated from the Housing Choice Fund allocation (Emergency Solutions Program Account) of the 2014-15 Consolidated Community Development Plan to fund the cost of said agreement.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations. The agreement shall extend for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-315
Re: Lease Agreement - Hillside Children's
Center, 8 Leighton Avenue

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing a lease agreement with Hillside Children's Center for the lease of approximately 1.1 +/- acres of vacant land at its property at 8 Leighton Avenue. The term of the lease will be for five years and will have no monetary consideration.

The vacant land will be transformed into neighborhood greenspace for sports, community engagement, picnics and other various recreational activities. Picnic tables, community grills, benches and small climbing apparatus are some of the features that may be available on the premises. The City may install, maintain, repair and replace security cameras, security fencing and gates as well as lighting and electrical modifications on the leased premises, as needed.

The City intends to seek grant funding to install and maintain the proposed improvements, all of which will remain the property of the City upon termination of the lease. The City will not be obligated to undertake any of the improvements if grant funding is not secured.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-188

Ordinance No. 2014-315
(Int. No. 336)

Authorizing a lease agreement with Hillside Children's Center

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Hillside Children's Center for the lease of approximately 1.1 acres of vacant land located at 8 Leighton Avenue to be used by the City and the public for recreational purposes. The agreement shall authorize but not obligate the City to install, maintain and repair security cameras, security fencing, gates, lighting, electrical modifications and recreational equipment on the premises. The agreement shall provide that any such improvement shall remain the property of the City and may be removed by the City at the end of the lease term. The cost of any such improvements shall be funded from grant funds to be obtained for this project, contingent upon approval of the receipt and use of such grant funds. No costs for improvements shall be incurred until grant funds have been approved.

Section 2. The lease agreement shall not obligate the City to pay any amount in rent. The lease shall have a term of five years.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-316
Re: 2014-15 Buyer Assistance Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the 2014-15 Buyer Assistance program. This legislation will:

1. Appropriate \$240,000 from the Buyer Assistance account of the Homeownership Promotion Fund (HOME fund) of the 2014-15 Consolidated Community Development Plan (Con Plan);
2. Appropriate \$100,000 from Prior Years' Cash Capital for the Buyer Assistance Program; and
3. Authorize agreements with the recipients of funding from the Buyer Assistance Program.

The Buyer Assistance Program provides financial assistance of up to \$6,000 to first-time homebuyers with low to moderate incomes equal to or less than 80% of the Median Family Income (MFI) who purchase houses through the City's housing initiatives. The financial assistance covers closing costs and the down payment on the home.

Buyer eligibility is based on income, the ability to qualify for a conventional mortgage loan with payments not exceeding 30% of the mortgagee's gross monthly income, and paying \$1,500 in personal funds towards the purchase of the home. Each buyer must also complete a pre-purchase education class before closing and attend post-purchase classes.

The \$240,000 from the 2014-15 Con Plan will serve up to 50 first-time homebuyers earning 80% or less of the MFI, through June 30, 2015. The \$100,000 in Cash Capital will serve up to 30 first-time homebuyers with incomes of 81% to 120% of the MFI.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-189

Ordinance No. 2014-316
(Int. No. 337)

Appropriating funds and authorizing agreements for the Buyer Assistance Program

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

Section 1. The sum of \$240,000 is hereby appropriated from the Buyer Assistance account of

the Homeownership Promotion Fund (HOME fund) of the 2014-15 Consolidated Community Development Plan, and the sum of \$100,000 is hereby appropriated from Prior Years Cash Capital for the Buyer Assistance Program.

Section 2. The Mayor or his designee is hereby authorized to enter into such agreements as may be necessary to implement the Program.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-317
Re: Homebuyer Training Program

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Home Buyer Training program. This legislation will:

1. Appropriate \$50,000 from the Homeownership Fund (HOME fund) of the 2014-15 Consolidated Community Development Plan (Con Plan);
2. Reallocate \$11,000 of the City Development Fund Buyer Assistance allocation of the Homeownership Assistance Fund of the 2014-15 Consolidated Community Development Plan to the Homebuyer Training Fund.
3. Establish \$61,000 as aggregate maximum compensation for agreements for homebuyer training services with NeighborWorks Rochester, Urban League of Rochester and Marketview Heights Association. The cost of these agreements will be funded from appropriations herein.

These three organizations will provide pre- and post-purchase training at a cost of \$350 and \$150, respectively, to all recipients of City grants for closing costs. These agreements will allow for up to 122 individuals to receive training. The program's description is attached.

These providers were selected through a request for proposal (RFP) process in September 2010. A new RFP will be issued in 2015 in conjunction with preparation of the next five-year Consolidated Community Development Plan.

The Homeownership Promotion Fund supports the City Housing Policy's objective to promote the rehabilitation, redevelopment and new construction of housing.

The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-190

Ordinance No. 2014-317
(Int. No. 338)

Authorizing agreements for the Homebuyer Training Program

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

Section 1. The sum of \$50,000 is hereby appropriated from the Homeownership Fund (HOME) of the 2014-15 Consolidated Community Development Plan and the sum of \$11,000 is hereby reallocated from the CDF Buyer Assistance allocation of the Homeownership Assistance Fund of the City Development Fund of the 2014-15 Consolidated Community Development Plan to the Homebuyer Training Fund.

Section 2. The Mayor is hereby authorized to enter into agreements with NeighborWorks Rochester, The Urban League of Rochester, NY, Inc., and Marketview Heights Association, Inc. to implement the Homebuyer Training Program. The agreements in aggregate shall obligate the City to pay an amount not to exceed \$61,000, and of said amount, or so much thereof as may be necessary shall be funded from the amounts appropriated for the program in Section 1 herein.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations. The agreements shall extend for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-318
Re: Midtown Urban Renewal Project -
Sale of 88-94 Elm Street

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

Transmitted herewith for your approval is legislation related to the sale of City-owned property at 88-94 Elm Street (the "Property") to an entity formed or to be formed by DHD Ventures, LLC

(the "Redeveloper") (controlling members: Thomas Masaschi and Jason Teller). This legislation will:

1. Authorize the sale of 88-94 Elm Street for the appraised value of \$360,000 as determined by an independent appraisal completed by Bruckner, Tillett, Rossi, Cahill and Associates.
2. Appropriate up to \$360,000 from the sale of the Property herein for deposit into the Capital Project Housing Revolving Loan Fund.
3. Authorize the refund of the proceeds of the sale of 88-94 Elm Street from the Capital Project Housing Revolving Loan Fund to the Redeveloper based on the level of achievement for the City's M/WBE and workforce goals during construction and environmental remediation completed by the Redeveloper.

Due to the remaining, significant rehabilitation needed to the building's interior, exterior and mechanical systems, the Redeveloper will have the opportunity to have all or a portion of the Property's purchase price refunded by the City. The refund will assist in maintaining the project's economic feasibility as well as contribute to the City's M/WBE and workforce goals. The process for the refund is described below:

- A. The refund rate applied to the purchase price will match the average of the percentages of the three M/WBE and workforce targets achieved after construction. The Redeveloper will not receive a M/WBE or workforce refund in the event that: 1) the average of the three target percentages of M/WBE and workforce goals achieved is less than 50%; and, 2) any one of the three target percentages of M/WBE and workforce goals achieved is less than 50%. The Redeveloper has committed to the following M/WBE and workforce targets for the project:
 - a. 20% of total dollar amount of contracts will go to Minority Business Enterprises (MBE), Women Business Enterprises (WBE), Small Business Enterprises (SBE), and/or Disadvantaged Business Enterprises (DBE);
 - b. Workforce hiring goals of 20% of total construction hours for minority persons and 6.9% of total construction hours for women.
- B. A Phase I Environmental Site Assessment completed by Stantec Consulting Services, Inc. in August 2012 reported environmental concerns associated with existing building mechanical systems and remaining asbestos after major asbestos abatement was completed. The purchase price will be refunded by an amount based on the Redeveloper's actual costs

for environmental remediation of the Property in order to complete the project.

4. Authorize a parking agreement with the Redeveloper to provide up to 50 parking spaces in the Midtown Garage at the standard rates for the garage. The term of the agreement will be for 20 years.
5. Authorize the granting and acceptance of easements necessary for utilities and access required for redevelopment of the Property. The Redeveloper is currently assessing the feasibility of a pedestrian access tunnel connecting the Property to the Midtown Garage. If constructed, the tunnel would require related easements. If the tunnel is not feasible, the tenants will utilize existing entry points to the parking garage.

The City acquired the vacant Property in 1998 through tax-foreclosure. Since then, the City has invested \$1.2 million in work to reposition the building for new occupancy. Major work completed by the City included asbestos abatement, various interior repairs and a new roof.

As part of the City's continuing efforts to revitalize Center City and propel the Midtown Rising initiative forward, a request for proposal (RFP) for the purchase and redevelopment of 88-94 Elm Street was issued in March 2013. A RFP developer informational meeting was held on March 28, 2013 to discuss the status of the Property, redevelopment potential and answer questions. The RFP was publicized in the Daily Record, posted on the City's website and communicated via cover letter to developers with experience in the Rochester market. As a result, the City received one proposal from DHD Ventures. The proposal submitted by DHD Ventures was evaluated by the Department of Neighborhood and Business Development and is being recommended based on the proposed development program, economic impact and the financial strength of the proposal.

The selected proposal includes 36 market-rate one- and two-bedroom apartments, commercial retail on the first floor and the Redeveloper's offices on the top floor. The project includes a complete overhaul of the interior space and exterior façade.

The sources and uses of funds for the proposed Midtown Tower project are as follows:

<u>Sources</u>	
Bank loan	\$ 8,110,308
Equity	<u>2,012,577</u>
Total	\$10,122,885
 <u>Uses</u>	
Acquisition	\$ 360,000
Hard costs	8,401,560
Soft costs	<u>1,361,325</u>
Total	\$10,122,885

Construction is anticipated to start in winter 2014-15 and be completed within approximately 12 months. The project is expected to create 150

construction jobs and 35 new permanent jobs.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the Director of Planning and Zoning, Lead Agency for the environmental review, has determined that the proposed action will not result in any significant environmental effects. A negative declaration has been issued and the State Environmental Quality Review has been completed.

A public hearing is required for the sale of the Property in accordance with Urban Renewal procedures.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-191

Ordinance No. 2014-318
(Int. No. 339)

Authorizing the sale of property at 88-94 Elm Street to DHD Ventures, LLC, appropriating funds, authorizing a parking agreement and authorizing the granting and acceptance of easements

WHEREAS, the City of Rochester has received a proposal from DHD Ventures, LLC, or an entity formed or to be formed by DHD Ventures, LLC (hereinafter called "Redeveloper"), for the purchase of property at 88-94 Elm Street, and for a parking agreement relating to the redevelopment of 88-94 Elm Street, to further the objectives of the Midtown Urban Renewal Plan; and

WHEREAS, the City desires to sell said 88-94 Elm Street to the Redeveloper for the sum of \$360,000 in accordance with Section 507, Subdivision 2 of the General Municipal Law of the State of New York, in order to support the redevelopment of the property; and

WHEREAS, the City desires to enter into an agreement with the Redeveloper for up to 50 monthly parking passes at the Midtown Garage at the standard monthly rate for a term of twenty years; and

WHEREAS, the City desires to authorize the granting and acceptance of any necessary easements for utilities, ancillary development, and for access, relating to the redevelopment of 88-94 Elm Street; and

WHEREAS, these actions will result in the redevelopment of the blighted Center City Midtown site, and provide tax revenue and job creation; and

WHEREAS, the Redeveloper has been found to be a qualified and eligible sponsor to carry on the redevelopment by the Rochester Urban Renewal Agency.

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

Section 1. The Council hereby approves the sale 88-94 Elm Street to the Redeveloper for the sum of \$360,000, for the redevelopment of the property. The agreement for the sale of the property shall include a provision that will allow the Redeveloper a credit against all or part of the purchase price if the Redeveloper achieves goals to be established in an agreement between the City and the Redeveloper for minority and women owned business enterprises (M/WBE) and workforce participation. The agreement for the sale of the property shall also include a provision that will allow the Redeveloper a credit against all or part of the purchase price for actual costs incurred by the Redeveloper for environmental remediation necessary for the redevelopment of the property. Any credits received by the Redeveloper shall not exceed the purchase price.

Section 2. The funds received by the City from the Redeveloper for the purchase of said property shall be deposited and appropriated to the Capital Projects Housing Revolving Loan Fund in an amount up to \$360,000. Upon completion of the Project the Redeveloper shall receive a refund from the Capital Projects Housing Revolving Loan Fund for credits due to Redeveloper for achieving the M/WBE and workforce participation goals and/or for environmental remediation necessary for the redevelopment of the property as provided in Section 1 herein.

Section 3. The Mayor is hereby authorized to enter into an agreement with the Redeveloper for up to 50 monthly parking passes at the Midtown Garage at the standard monthly rate for a term of twenty years.

Section 4. The Council hereby further approves the granting and acceptance of any necessary easements for utilities, and for access, including, but not limited, to an easement agreement with the Redeveloper relating to potential tunnel access to the Midtown Garage.

Section 5. The Mayor is hereby authorized to enter into such agreements and to execute such other instruments as may be necessary to implement the actions authorized herein. The agreements and other instruments shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 334
Re: City Code Amendment - Certificates of Occupancy

Council Priority: Rebuilding and Strengthening

Neighborhood Housing

Transmitted herewith for your approval is legislation amending Section 90-16 of the City Code, Certificates of Occupancy (C of O), to allow a waiver from the interior portion of the C of O inspection of a single-family dwelling in limited situations.

These changes will eliminate the difficulty in gaining access to the interior of some units due to the occupant refusing to cooperate, even after a judicial warrant for inspection has been secured. Currently, the options available to the City in these situations include the use of force or seeking contempt from the court. Using our limited legal resources on cases involving a single-family structure, only occupied by adults, where the exterior is in compliance and a lead test has been recently performed, detracts from the ability of the Department of Neighborhood and Business Development's Bureau of Inspection and Compliance to properly address other, more pressing issues.

This amendment to the C of O strikes an appropriate balance in our efforts to ensure safe and habitable housing for all residents, while allowing us to more efficiently and effectively address priority cases.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 334

AMENDING SECTION 90-16 OF THE MUNICIPAL CODE WITH RESPECT TO CERTIFICATES OF OCCUPANCY

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

Section 1. Section 90-16 of the Municipal Code, as amended, is hereby further amended by adding a new subsection B(3) to read in its entirety as follows:

- (3) The Commissioner may waive the requirement for an interior inspection prior to the issuance of a certificate of occupancy for a single family dwelling where the following criteria has been met:
 - (a) The property must be a single family dwelling; and
 - (b) No one under the age of six either resides or is provided day care at the subject dwelling; and
 - (c) The subject dwelling has passed a lead dust wipe test within sixty (60) days of the certificate of occupancy application date; and
 - (d) There are no hazards identified during the exterior inspection and no excessive outdoor storage; and

(e) The legal occupant submits a completed notarized affidavit on forms provided by the City.

Section 2. Section 90-16 of the Municipal Code as amended is hereby further amended by amending subsection B(3) by renumbering it as follows:

~~(3)~~ (4) The Commissioner shall issue or deny the waiver within 10 business days of receipt of a written request

Section 3. Section 90-16, Certificates of occupancy, is hereby amended by amending subsection H(1) by adding a new paragraph (d) to read in its entirety as follows:

(d) A certificate of occupancy for a one-family dwelling not occupied by the owner, or the spouse, child, parent or sibling of the owner, issued on or after November 1, 2014, and in accordance with Subsection B(3), shall remain valid for a period of three years from the date of issuance, unless sooner terminated by the occurrence of any of the events enumerated in Subsection A(2)(a) or (b) or the failure of the dwelling to remain in substantial compliance with the provisions of this chapter and all other applicable laws, ordinances and rules.

Section 4. This ordinance shall take effect November 1, 2014.

Strikeout indicates deleted text, new text is underlined

Held in Committee.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 340
Re: Zoning Map Amendment - 151 and 157 York Street

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties at 151 and 157 York Street from R-1 Low Density Residential District to M-1 Industrial District. The purpose of this rezoning is to begin the process of legalizing the parking lot that has existed at 151 and 157 York Street for more than ten years. The parking lot has been, and will continue to be, used in conjunction with the warehouse and office use at 171 York Street.

The two subject properties are currently owned by 151 York Street, LLC and adjoin properties zoned M-1 Industrial District, making them unsuitable for redevelopment for single-family residences. The rezoning will "square-off" the existing M-1 District's boundary with the R-1 District, leaving the M-1 zoned properties and railroad tracks to the north and R-1 zoned properties to the south.

The City Planning Commission held an informational meeting on this proposed rezoning on Monday, September 8, 2014. One person spoke in support of the rezoning, and one person spoke in opposition. By a vote of 4-0, the Planning Commission recommended approval.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 340

CHANGING THE ZONING CLASSIFICATION OF 151 AND 157 YORK STREET FROM R-1 LOW DENSITY RESIDENTIAL DISTRICT TO M-1 INDUSTRIAL DISTRICT

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcels, constituting 151 and 157 York Street from R-1 Low Density Residential District to M-1 Industrial District:

LEGAL DESCRIPTION OF LANDS TO BE REZONED R-1 TO M-1 #151 & #157 YORK STREET T.A. # 120.340-01-026.001 & 025

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 63 of the 20,000 Acre Tract and being more particularly bounded and described as follows: Beginning at a point in the centerline of York Street (66' ROW) at the intersection of the easterly extension of the north line of Lot 27 of the Granger, Sibley & Field Tract, as filed in the Monroe County Clerk's Office in Liber 2 of Maps, Page 75, said intersection being the Point or Place of Beginning; thence

- 1) Southerly, along said centerline, a distance of 99.0 feet, more or less, to the easterly extension of the south line of Lot 48 of the Jane Taylor Heirs Subdivision, as filed in the Monroe County Clerk's Office in Liber 2 of Maps, Page 110; thence
- 2) Westerly, along said extension and the south line of Lot 48, a distance of 183.0 feet to the southwest corner thereof; thence
- 3) Northerly, along the rear line of said Lot 48 and parallel with said York Street, a distance of 99.4 feet, more or less, to the said north line of Lot 27; thence
- 4) Easterly, along said north line of Lot 27 and its extension, a distance of 183.0 feet to the said centerline of York Street, being the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Haag
October 14, 2014

To the Council:

The Parks & Public Works Committee recommends for adoption the following entitled legislation:

Int. No. 341 - Authorizing an amendatory agreement for professional services for the West River Wall Project

Int. No. 342 - Authorizing agreements and appropriating funds for the Ridgeway Avenue Transportation Improvement Project

Int. No. 343 - Authorizing agreements for motor vehicle collision repair services

Respectfully submitted,
Matt Haag
Elaine M. Spaul
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-319
Re: Amendatory Agreement - West River Wall Project

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

Transmitted herewith for your approval is legislation establishing \$22,000 as maximum compensation for an amendatory agreement with Bergmann Associates for professional services associated with revisions to flood mapping along the Corn Hill section of the Genesee River. The amendment will be funded from the 2013-14 Cash Capital allocation of the Department of Environmental Services.

The original agreement with Bergmann Associates was authorized after a request for proposal process in January 2014 in the amount of \$244,000 (Ord. No. 2014-6). This amendment will increase maximum compensation to a total of \$266,000.

The original agreement provided for the following services:

- Preliminary assessments of base flood elevations in accordance to Federal Emergency Management Agency (FEMA) and U.S. Corps of Engineers criteria;

- Identification of feasible corrective measures;
- Evaluation of the structural integrity of the flood walls; and
- Development of a long-term community-based master plan for the corridor.

The amendatory agreement will fund:

- The documentation and assessment to re-establish the base flood elevation for a section of the Genesee River and provide coordination for an Official Letter of Map Revision (LOMR) to FEMA;
- Begin the documentation required to re-accredit the wall after repairs are made; and
- Provide affected property owners with documentation to assist them in addressing flood insurance issues.

The amendatory agreement will result in the creation and/or retention of the equivalent of .25 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-192

Ordinance No. 2014-319
(Int. No. 341)

Authorizing an amendatory agreement for professional services for the West River Wall Project

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

Section 1. The sum of \$22,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Bergmann Associates for revisions to flood mapping for the West River Wall Project. This amendment shall increase the maximum amount of the agreement authorized by Ordinance No. 2014-6 to a total of \$266,000. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount of \$22,000 shall be funded from the 2013-14 Cash Capital allocation of the Department of Environmental Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-320
Re: Ridgeway Avenue Transportation Improvement Project (Ramona Street -

Minder Street)

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

Transmitted herewith for your approval is legislation that will:

1. Appropriate \$45,600 in anticipated reimbursements from the Federal Highway Administration (FHWA) for the Ridgeway Avenue Improvement Project; and
2. Establish \$120,000 as maximum compensation for an amendatory agreement with Stantec Consulting Services, Inc., to provide additional services required to complete design of the project. The original agreement, authorized in May 2008, established maximum compensation at \$780,000. This amendment will increase maximum compensation to a total of \$900,000. The additional cost will be funded by \$96,000 from FHWA funds appropriated in Ordinance No. 2010-333, and \$24,000 from the 2012-13 Cash Capital allocation of the Department of Environmental Services (DES); and
3. Establish \$30,000 as maximum compensation for an agreement with CSX Transportation, Inc., Jacksonville, Florida, for engineering final design services for the project, or amend an existing agreement with CSX (Ord. No. 2008-360) increasing compensation by \$30,000 for a total of \$55,000. CSX will decide whether a new agreement or amendatory agreement for the work specified above is preferable. The \$30,000 cost of the agreement will be financed as follows: \$24,000 from FHWA funds appropriated herein, and \$6,000 from the 2012-13 Cash Capital allocation of DES.

The amendatory agreement will fund revisions to the design report, contract specifications and plans that are required to meet current New York State Department of Transportation (NYSDOT) standards. The project design began in 2008 but was delayed when federal funding for this project was deferred. As a result, a number of the project's specifications are no longer applicable.

This Federal Aid project, administered by the City through NYSDOT, is identified in the City's current Capital Improvement Program. The City is qualified to receive up to 80% of the eligible project costs from the FHWA with the remaining 20% being a local share. The City may also qualify to receive reimbursement of up to 75% of the eligible local share project costs through the New York State Marchiselli Program when approved by New York State.

The project features include: rehabilitation and reconstruction of the pavement, reconfiguration of the roadway, and improvements to the intersection, drainage system, curb, traffic signal, signage, sidewalk, streetscape, landscaping, and water distribu-

tion system. The estimated construction cost is \$8.34 million.

Construction is anticipated to begin in spring 2015, with scheduled completion in summer 2016. The amendatory agreement will result in the creation and/or retention of the equivalent of 1.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-193

Ordinance No. 2014-320
(Int. No. 342)

Authorizing agreements and appropriating funds for the Ridgeway Avenue Transportation Improvement Project

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

Section 1. The sum of \$45,600 in anticipated reimbursements from the Federal Highway Administration (FHWA) is hereby appropriated to finance a portion of the design of the Ridgeway Avenue Transportation Improvement Project (the "Project").

Section 2. The sum of \$120,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and Stantec Consulting Services, Inc. for design services for the Project. This amendment shall increase the maximum amount of the agreement authorized by Ordinance No. 2008-179 to a total of \$900,000. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount of \$120,000 shall be funded from \$96,000 in Federal Highway Administration funds appropriated in Ordinance No. 2010-333 and by \$24,000 from the 2012-13 Cash Capital allocation of the Department of Environmental Services.

Section 3. The Mayor is hereby authorized to enter into an agreement, in an amount not to exceed \$30,000 with CSX Transportation Inc. for engineering final design services for the Project, or an amendment to an existing agreement with CSX Transportation Inc. authorized by Ordinance No. 2008-360 increasing the maximum amount of said agreement by \$30,000 to a total of \$55,000. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the projects for which the services were provided. The cost of the agreement shall be financed by \$24,000 of the Federal Highway Administration funds appropriated in Section 1 herein, and by \$6,000 from the 2012-13 Cash Capital allocation of the Department of Environmental Services.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-321
Re: Agreement - Collision Repair Services

Transmitted herewith for your approval is legislation establishing \$400,000 per annum as aggregate maximum compensation for agreements with the three vendors listed below for the provision of collision repair services for City vehicles. The funds for the agreements will be paid from the 2014-15, 2015-16, 2016-17, 2017-18 and 2018-19 Budgets of the Department of Environmental Services, contingent upon City Council adoption of said budgets.

A list of qualified vendors is periodically established by the City. When specific repairs are needed, these vendors are requested to provide a price quote for the work. Based on cost and time estimates, the appropriate vendor is selected to complete the repairs.

The term of the agreements will be one year, with four additional one-year renewal options to be authorized by mutual written consent by both the City and the vendors.

The following vendors were selected through a request for proposal process described in the attached summary:

Alliance Collision
532 North Street
Rochester, NY 14605

Sofia Collision
20 Palmer Street
Rochester, NY 14609

Nu-Look Collision
280 Monroe Avenue
Rochester, NY 14607

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-194

Ordinance No. 2014-321
(Int. No. 343)

Authorizing agreements for motor vehicle collision repair services

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

Section 1. The Mayor is hereby authorized to enter into agreements with following companies for motor vehicle collision repair services for a term of one year, with options for up to four one-year re-

newals:

Alliance Collision, Inc.
532 North Street
Rochester, NY 14605

Sofia Collision
20 Palmer Street
Rochester, NY 14609

Nu-Look Collision
280 Monroe Avenue
Rochester NY 14607

Section 2. The agreements shall obligate the City to pay a total amount not to exceed \$400,000 per year. Said agreements shall be funded from the 2014-15 Budget of the Department of Environmental Services and any renewal shall be funded by future years Budgets, contingent upon adoption.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember McFadden
October 14, 2014

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 344 - Establishing maximum compensation to be paid for the continuation of a professional services agreement between the City and the Center For Dispute Settlement, Inc. for the provision of services relating to citizen complaints involving members of the Rochester Police Department during 2015

Int. No. 345 - Authorizing an agreement with the New York State Division of Homeland Security and Emergency Services and amending the Budget

Int. No. 346 - Authorizing an agreement with the New York State Division of Homeland Security and Emergency Services

Int. No. 347 - Authorizing an agreement with the United States Marshals Service and amending the Budget

Int. No. 349 - Authorizing an agreement for a Bomb Squad Initiative Grant

Int. No. 350 - Amending the 2014-15 Budget and appropriating forfeiture funds

The following entitled legislation is being held in Committee:

Int. No. 348 - Amending the 2014-15 Budget

and appropriating forfeiture funds and authorizing agreements

Int. No. 351 - Amending Local Law 13-2009 with respect to owner liability for the failure of a motor vehicle operator to comply with traffic-control indications

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-322
Re: Agreement - Center for Dispute Settlement,
Complaint Management Services

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing maximum compensation of \$144,149 for a one-year agreement with the Center for Dispute Settlement, Inc. (CDS), to provide services relating to complaints involving members of the Rochester Police Department. The cost of the agreement will be funded from the 2014-15 and 2015-16 Budgets of the Police Department contingent upon adoption for the latter year.

The most recent agreement for this purpose with CDS was authorized by City Council Ord. No. 2013-431. This legislation extends CDS's current contract for an additional calendar year as permitted in the original agreement. When this contract was originally awarded it went through the Request For Proposals (RFP) process and CDS was the only firm to respond to the request. This is the last extension that is permitted per this contract.

The citizen complaint review process was established by City Council Resolution No. 92-40, and modified by Resolution No. 95-8. CDS will select and train panelists, conduct hearings and maintain related records. CDS also added the position of an advocate to this process during this contract term and the advocate has worked to ensure that each complaint is handled properly and in a timely manner.

Going forward and in preparation for this contract's ultimate expiration, I plan to convene meetings to discuss how the citizen review process should be structured going forward and an RFP will be issued next year reflective of those discussions.

Respectfully submitted,
Adam C. McFadden
Chair
Public Safety, Youth & Recreation Committee
South District Representative

Ordinance No. 2014-322
(Int. No. 344)

Establishing maximum compensation to be paid for the continuation of a professional services agreement between the City and the Center For Dispute Settlement, Inc. for the provision of services relating to citizen complaints involving members of the Rochester Police Department during 2015

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

Section 1. The sum of \$144,149, or so much thereof as may be necessary, is hereby established as the compensation to be paid for the continuation of a professional services agreement between the City and the Center For Dispute Settlement, Inc. for the provision of services relating to citizen complaints involving members of the Rochester Police Department during 2015. Said amount shall be funded from the 2014-15 and 2015-16 Budgets of the Rochester Police Department, contingent upon adoption of the latter budget.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-323
Re: Agreement - 2014 State Homeland Security Program

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the Division of Homeland Security and Emergency Services for the receipt and use of an \$83,000 State Homeland Security Program 2014 Grant, and amending the 2014-15 Budget of the Fire Department by \$69,800 and Undistributed Expenses by \$13,200.

This grant is provided to enhance terrorism prevention in the Rochester/Monroe County region. Grantees are required to build capabilities that relate to the prevention of, protection from, or response to terrorism. The program period is September 1, 2014 through August 31, 2016, and no matching funds are required.

The 2014 allocation will be used for trench rescue shoring equipment, training and overtime backfill for technical rescue training.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-323
(Int. No. 345)

Authorizing an agreement with the New York State Division of Homeland Security and Emer-

gency Services and amending the Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for receipt and use of \$83,000 in funds for the State Homeland Security Program.

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

Section 3. The sum of \$83,000 is hereby appropriated from funds to be received under the grant agreement authorized herein to fund the Program.

Section 4. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Rochester Fire Department by \$69,800 and increasing the Budget for Undistributed Expense by \$13,200.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-324
Re: Agreement - New York State Division of Homeland Security and Emergency Services, 2014 State Law Enforcement Terrorism Prevention Program Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of \$94,200 for a 2014 State Law Enforcement Terrorism Prevention Program grant.

These funds will be used to purchase equipment to enhance the interoperability of the Rochester Police Department's Special Teams. The equipment to be purchased includes side sonar, night vision goggles, hydraulic breaching tools, a portable digital x-ray, infrared beacons, flame retardant uniforms and an automated external defibrillator.

The term of this grant is September 1, 2014 through August 31, 2016. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-324
(Int. No. 346)

Authorizing an agreement with the New York State Division of Homeland Security and Emer-

gency Services

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for receipt and use of \$94,200 in funds for the 2014 State Law Enforcement Terrorism Prevention Program. The term of this agreement shall be from September 1, 2014 to August 31, 2016.

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

Section 3. The sum of \$94,200 is hereby appropriated from funds to be received under the grant agreement authorized herein to fund the Program.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmember Haag, McFadden, Miller, Palumbo, Patterson, Spaul - 6.

Nays - Councilmember Conklin - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-325
Re: Agreement - United States Marshals Service, Vehicle Retrofitting

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the United States Marshals Service for the receipt and use of \$10,000 for vehicle retrofitting and amending the 2014-15 Cash Capital allocation of the Department of Environmental Services by this amount.

The United States Marshals Service purchased two vehicles for the members of the Rochester Police Department (RPD) that work on the Marshals Task Force. The Marshals will reimburse RPD in an amount not to exceed \$10,000 for eligible expenses and equipment necessary for these vehicles to function as Task Force vehicles, such as emergency lights, sirens, window tinting, and a gun safe.

Reimbursements from this award must be requested by July 31, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-325
(Int. No. 347)

Authorizing an agreement with the United States Marshals Service and amending the Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Marshals Service for receipt and use of up to \$10,000 in reimbursements to fund the retrofitting of vehicles for the Rochester Police Department.

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

Section 3. The sum of \$10,000 is hereby appropriated from funds to be received under the grant agreement authorized herein to fund the vehicle retrofitting.

Section 4. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and the 2014-15 Cash Capital allocation of the Department of Environmental Services by \$10,000.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember McFadden moved to return Int. No. 349 to Committee.

The motion was seconded by Councilmember Conklin.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 349
Re: Agreement - New York State Division of Homeland Security and Emergency Services, 2014 Bomb Squad Initiative Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of \$110,000 for a 2014 Bomb Squad Initiative grant.

This grant, which has been received for more than 10 years, will be used to support the Rochester Police Department's FBI-certified Bomb Squad. The funds will be used to purchase equipment such as breaching supplies, bomb wire attack kits, night vision equipment, training necessary for continual improvement of the Bomb Squad's response to bomb incidents, and a consultant to provide tactical electronics lock-pick training.

The term of this agreement is September 1, 2014 through August 31, 2016. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 349

AUTHORIZING AN AGREEMENT FOR A BOMB SQUAD INITIATIVE GRANT

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for \$110,000 in funding for the Rochester Police Department under the 2014 Bomb Squad Initiative Grant Program. The term of this agreement shall be from September 1, 2014 to August 31, 2016.

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

Section 3. The sum of \$110,000 is hereby appropriated from funds to be received under the 2014 Bomb Squad Initiative Grant Program to fund the purchase of equipment and consultant services for training of the Bomb Squad.

Section 4. This ordinance shall take effect immediately.

Held in Committee.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-326
Re: Federal Forfeiture Funds

Council Priority: Public Safety

Transmitted herewith for your approval is legislation appropriating up to \$30,200 from federal forfeiture funds generated by the Rochester Police Department and amending the 2014-15 Budget of the Police Department by that amount.

These federal forfeiture funds will be used to pay overtime and associated fringe benefits for police officers to attend community meetings and to walk foot patrols with members of the community through programs such as Police and Citizens Together Against Crime (PAC-TAC), Teens on Patrol and Clergy on Patrol.

This appropriation will result in a balance of approximately \$409,000 in the fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-326
(Int. No. 350)

Amending the 2014-15 Budget and appropriating forfeiture funds

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

Section 1. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, is hereby amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$30,200, which amount is hereby appropriated from funds received from the Federal Government from seized and forfeited assets, to fund expenses of the Rochester Police Department in connection with programs such as PAC-TAC, Teens on Patrol and Clergy on Patrol.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - Councilmember Haag, McFadden, Miller, Palumbo, Patterson, Spaul - 6.

Nays - Councilmember Conklin - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 348
Re: Federal Forfeiture Funds for Community
Programs

Council Priority: Public Safety

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

1. Appropriate \$80,000 in RPD federal forfeiture funds to support community programs by RPD and various organizations, and amend the 2014-15 Budget of the Police Department to reflect this amount.
2. Establish maximum compensation of \$28,500 for agreements with the organizations listed below for services and programs, as allowed by the federal program. The total cost of the agreements will be funded from the 2014-15 Budget of the Police Department.

<u>Organization</u>	<u>Program Description - Agreements</u>	<u>Amount</u>
Crime Stoppers	Allows anonymous crime tips and provides rewards for tips that result in arrests. Publishes the <i>Fugitive Flyer</i> to assist local law enforcement in arresting known career criminals.	\$15,000
Monroe Community College (MCC)	Police Recruit Education Project - increase the academic success of minority students enrolled in MCC's criminal justice program and who are interested in future employment with the City as Police Officers.	\$8,500
Do the Right Thing	To support the Do the Right Thing program, a program designed to positively impact the youth of our area by publicly recognizing children who distinguish themselves by their behavior, establishing them as role models for their peers.	\$5,000

RPD will support the following police programs:

<u>RPD</u>	<u>Program Description - RPD</u>	<u>Amount</u>
Clergy Response Team	Purchase winter jackets for the Clergy Response Team to ensure they will be easily recognized at crime scenes where they are assisting RPD.	\$5,200
National Night Out	Events that heighten crime and drug prevention awareness; and strengthen neighborhood spirit and police-community partnerships.	\$1,000
Police Explorers	Purchase uniforms for members of the Police Explorers Group.	\$4,000
RPD Qualifying Community Outreach Programs	Youth crime prevention programs using joint educational, athletic, and recreational activities to prevent criminal activity and drug use, and to create trust and understanding between Police Officers and at-risk youth.	\$5,000

The remaining \$36,300 of the amount appropriated herein will be distributed throughout the year to other organizations in accordance with federal requirements and with the knowledge and support of City Council. This appropriation will result in a balance of approximately \$439,200 in the fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 348

AMENDING THE 2014-15 BUDGET AND APPROPRIATING FORFEITURE FUNDS AND AUTHORIZING AGREEMENTS

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

Section 1. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, is hereby amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$80,000, which amount is hereby appropriated from funds received from the Federal Government from seized and forfeited assets, to fund programs by the Rochester Police Department and to fund programs by community organizations.

Section 2. The Mayor is hereby authorized to enter into agreements with community organizations described below for amounts not to exceed the amounts stated herein, for use of a portion of these funds for eligible activities in accordance with Federal forfeiture guidelines. The cost of these agreements shall be funded from the amounts appropriated herein. In addition to the contracts authorized herein, the Mayor is hereby authorized to enter into agreements for other programs in accordance with Federal requirements. The Police Department shall notify the Council of said agreements.

<u>Organization</u>	<u>Program Description - Agreements</u>	<u>Amount</u>
Crime Stoppers	Allows anonymous crime tips and provides rewards for tips that result in arrests. Publishes the <i>Fugitive Flyer</i> to assist local law enforcement in arresting known career criminals.	\$15,000
Monroe Community College (MCC)	Police Recruit Education Project - increase the academic success of minority students enrolled in MCC's criminal justice program and who are interested in future employment with the City as Police Officers.	\$8,500
Do the Right Thing	To support the Do the Right Thing program, a program designed to positively impact the youth of our area by publicly recognizing children who distinguish themselves by their behavior, establishing them as role models for their peers.	\$5,000

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

Section 4. This ordinance shall take effect immediately.

Held in Committee.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 351
Re: Extension - Red Light Camera Program

Council Priority: Public Safety

Transmitted herewith for your approval is a local law amending the City Charter to extend the City's existing red light camera program through December 1, 2019. In 2009, State legislation was passed authorizing the City of Rochester to establish a five-year demonstration program imposing monetary liability on vehicle owners for an operator's failure to comply with traffic-control indications within Rochester. The legislation also authorized the City to install and operate traffic-control signal photo violation-monitoring devices at no more than fifty intersections within the City.

The State Legislature recently passed legislation to extend this program for five more years. This local law will allow the City to continue utilizing this program until December 1, 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 351

AMENDING LOCAL LAW 13-2009 WITH RESPECT TO OWNER LIABILITY FOR THE FAILURE OF A MOTOR VEHICLE OPERATOR TO COMPLY WITH TRAFFIC-CONTROL INDICATIONS

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

Section 1. Local Law 13-2009 is hereby amended to read 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 amending subsection F to Section 6-6, Parking Violations Bureau, to read in its entirety as follows:

- F(1) The City hereby establishes a demonstration program in accordance with the provisions of § 1111-b of the New York State Vehicle and Traffic Law, imposing monetary liability on the owner of a motor vehicle for failure of an operator thereof to comply with traffic-control indications in the City. Such demonstration program shall allow for the installation and operation of traffic-control signal photo violation-monitoring devices at no more than fifty intersections within the City at any one time.
- (2) Adjudication of the liability imposed upon motor vehicle owners by this section shall be by the Parking Violations Bureau.
- (3) A motor vehicle owner liable for a violation pursuant to this program shall be liable for monetary penalties in accordance with a schedule of fines and penalties to be promulgated by the Parking Violations Bureau. The liability of the owner pursuant to this program shall not exceed fifty dollars for each violation; provided, however, that an additional penalty not to exceed twenty-five dollars for each violation shall be added for the failure of the owner to respond to a notice of liability within thirty days from mailing of a notice of liability.

Section 2. This local law shall take effect immediately and shall expire on December 1, ~~2014-2019.~~

Strikeout indicates deleted text, new text is underlined

Held in Committee.

By Councilmember Spaul
October 14, 2014

To the Council:

The following entitled legislation is being held in Committee:

Int. No. 352 - Authorizing an agreement for Artists Residencies at Recreation Centers

Respectfully submitted,
Elaine M. Spaul
Adam C. McFadden
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 352

Re: Agreement - Young Audiences of Rochester, Inc., Artists’ Residencies at Recreation Centers

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation establishing \$15,000 as maximum compensation for an agreement with Young Audiences of Rochester, Inc., Rochester, New York, for artists’ residencies at City recreation centers. The cost of this agreement will be funded from the 2014-15 Budget of the Department of Recreation and Youth Services.

Under the proposed agreement, Young Audiences will provide the services of teaching artists and wildlife educators for a total of eighteen artist residencies. Each residency consists of seven, one-hour sessions serving up to 25 youth.

Young Audiences of Rochester, Inc., was selected for these services because they are able to offer a diverse catalog of arts programming. Young Audiences’ artists are practicing, professional teaching artists who have experience providing interactive arts education programming to youth in an after-school setting. A full justification for not issuing a request for proposal is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 352

AUTHORIZING AN AGREEMENT FOR ARTISTS RESIDENCIES AT RECREATION CENTERS

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

Section 1. The sum of \$15,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Young Audiences of Rochester, Inc. for the Artists Residencies at Recreation Centers program. Said amount shall be funded from the 2014-15 Budget of the Department of Recreation and Youth Services. The agreement shall have a term of one year.

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

Section 3. This ordinance shall take effect immediately.

Held in Committee.

The meeting was adjourned at 7:56 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

REGULAR MEETING
NOVEMBER 12, 2014

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 9

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:

Environmental Services

Glenda K. Jenkins

Police Department

*Rona L. Maroz

*Theresa M. Tasso

**Did not attend meeting.*

APPROVAL OF THE MINUTES

By Councilmember McFadden

RESOLVED, that the minutes of the Regular Meeting of October 14, 2014 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of

Erroneous Taxes and Charges 4157-14

Quarterly Reports (2) 4158-14, 4159-14

Schedule of Revenues & Expenditures

Report

Professional Services Agreements with costs of \$10,000 or less

Public Disclosure - CDBG Participation (4)

4160-14, 4161-14, 4162-14, 4163-14

The Council submits Disclosure of Interest Forms from Councilmember Haag on Int. No. 382, Councilmember Conklin on Int. No. 379, Vice President Miller on Int. 375, President Scott on Int. No. 375 and Councilmember Spaul on Int. Nos. 385 and 386.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember McFadden submits 891 signatures on a petition to ban Red Light Cameras Petition No. 1706

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

Amending Chapter 120 of the Municipal Code, the Zoning Code, by adding the Century-Strathallan Planned Development District #16 Int. No. 363 3 speakers: Betsy Brugg, Alan Knauf, Art Ientilucci.

Amending Chapter 120 of the Municipal Code, the Zoning Code, by changing the zoning classification of 546, 566, and 586 East Avenue and 7 Strathallan Park from R-3 High Density Residential District/O-O Overlay-Office District to Planned Development District #16 Century-Strathallan Int. No. 364 No speakers.

Changing the zoning classification of 15 McArdele Street from R-1 Low Density Residential District to M-1 Industrial District Int. No. 365 1 speaker: Alan Knauf.

Changing the zoning classification of 400 and 440 East Avenue from R-3 High Density Residential District to CCD Center City District Int. No. 366 1 speaker: Betsy Brugg.

Amending the 2008-09, 2011-12 and 2012-13 Consolidated Community Development Plans and appropriating funds and authorizing agreements for the Owner-Occupant Roofing Program Int. No. 388 No speakers.

Amending the Official Map by renaming Mortimer Street between St. Paul Street and North Clinton Avenue as RTS Way Int. No. 373 1 speaker: Mark Ballerstine.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
November 12, 2014

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 354 - Authorizing a professional services agreement for mainframe application support services

Int. No. 355 - Establishing maximum compensation for a professional services agreement for the Employee Assistance Program

Int. No. 356 - Establishing maximum compensation for a professional services agreement for a Drug and Alcohol Testing Program

Int. No. 357 - Establishing maximum compensation for a professional services agreement for dental insurance administration

Int. No. 358 - Establishing maximum compensation for a professional services agreement for flexible benefit plans administration

Int. No. 359 - Establishing maximum compensation for a professional services agreement for COBRA administration services

Int. No. 389 - Establishing maximum compensation for a professional services agreement for producing and editing informational television shows and public service announcements

Respectfully submitted,
Carla M. Palumbo
Jacklyn Ortiz
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-327
Re: Agreement - Solu Technology Partners,
Mainframe Application Support Services

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum compensation for an agreement with Solu Technology Partners, Victor, New York, for support services providing managed maintenance for selected mainframe-based application(s) until the legacy systems are replaced, allowing key City resources to focus on the implementation and support of new systems. The term of this agreement will be for two years; the cost will be funded from the 2014-15 Budget of Information Technology (\$50,000) and the 2015-16 Budget of Information Technology (\$50,000), contingent upon Council approval.

Under this agreement, Solu Technology Partners will provide support, monitoring and maintenance of the taxes receivable system. They will also supply support for the annual tax billing process. Funding was calculated based on work order incidents and projects from the prior two years.

The Department of Information Technology has four full-time employees and two on-call employees supporting eleven mainframe systems. Fifty percent of the full-time COBOL employees are eligible to retire in one year. The remaining fifty percent are eligible to retire within five years. Partnering with a contractor will reduce risk, and assist in the succession planning process.

A request for proposal (RFP) was issued, and two companies responded. Solu Technology Partners offers competent contractors in the Rochester area. A summary of the RFP process is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-196

Ordinance No. 2014-327
(Int. No. 354)

Authorizing a professional services agreement for mainframe application support services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and Solu Technology Partners for mainframe application support services, with maximum compensation of \$100,000. Said amount shall be funded by \$50,000 from the 2014-15 Budget of the Information Technology Department and \$50,000 from the 2015-16 Budget of the Information Technology Department contingent upon adoption of that budget. The term of the agreement shall be for two years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-328
Re: Agreement - Employee Network, Inc.,
Employee Assistance Program

Transmitted herewith for your approval is legislation establishing \$86,505 as maximum compensation for a three-year agreement with Employee Network, Inc., Vestal, New York, to provide services for the City's employee assistance program (EAP). The approximate cost of \$28,835 per calendar year will be financed from 2014-15 Budget of Undistributed Expenses and subsequent budgets, contingent upon their approval.

The employee assistance program provides professional support services to employees whose job performance is affected by factors such as legal, financial and marital difficulties, emotional instability, alcoholism, and drug addiction. Non-uniformed City employees (1,580 people) and their families are eligible for participation. Uniformed Police and Fire employees are covered through their own programs.

A request for proposal for these services was solicited from six vendors, three of which responded. In addition to Employee Network, Inc., proposals were received from Strong EAP, Rochester, New York, and Workforce Solutions, LLC, Rochester, New York. A committee of representatives from the Emergency Communications Department, Department of Environmental Services, Law Department, and Department of Human Resource Management evaluated the proposals and unanimously selected Employee Network, Inc. based on the following factors:

- The EAP line is staffed 24 hours a day, 365 days a year by mental health professionals with a Master's level degree or higher, which affords our employees direct access to trained counselors;
- They have a national provider network of over 40,000 credentialed counselors; and

- They offer state-of-the-art technological resources including web-based services, such as a mobile app and a personal assistant service for our employees to use to achieve and maintain a healthy work/life balance.

Employee Network, Inc. will provide counseling and referral services to eligible employees and their family members as appropriate. They will also conduct training programs for City personnel and supervisors through in-person and online training as required or as requested.

During calendar year 2013, Employee Network, Inc. saw 91 employees and their family members for counseling, representing 5% of the eligible workforce, which is consistent with the national average of 3% to 7%. They also saw over 335 employees (21% of the eligible workforce) for training, supervisory and general employee orientations, critical incident stress management, and management consultations, which is higher than the national average of 13% - 15%. The term of this agreement will be January 1, 2015 through December 31, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-197

Ordinance No. 2014-328
(Int. No. 355)

Establishing maximum compensation for a professional services agreement for the Employee Assistance Program

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

Section 1. The sum of \$86,505, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Employee Network, Inc. for the Employee Assistance Program for a term of three years. Said amount shall be funded from the 2014-15, 2015-16 and 2016-17 Budgets for Undistributed Expense, contingent upon the adoption of subsequent budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-329
Re: Agreement - Energetix, Drug and Alcohol Testing

Transmitted herewith for your approval is legisla-

tion establishing \$170,430 as maximum compensation for a three-year agreement with Energetix, Hempstead, New York, to provide drug and alcohol testing for pre-employment and New York State Department of Transportation compliance testing and reporting. The approximate cost of \$56,810 per calendar year will be financed from the 2014-15 Budget of Undistributed Expenses and subsequent budgets, contingent upon their approval.

In addition to pre-employment drug testing for all new hires, Energetix will provide, as required by the Omnibus Transportation Employee Testing Act, random, follow-up and post-accident testing for drugs and alcohol for employees whose duties require the possession of a commercial driver's license, and drug and alcohol testing of Emergency Communications Department employees, as required by the AFSCME collective bargaining agreement.

A request for proposal was solicited from eleven vendors; six firms responded. In addition to Energetix, proposals were received from: Rochester General Health System, Rochester, New York; Riverfront Medical, P.C., Rochester, New York; SCS Drug Testing, Rochester, New York; University of Rochester Medical Center, Rochester, New York; and Workfit Medical, LLC, Rochester, New York. A committee of representatives from the Emergency Communications Department, Department of Environmental Services, Law Department, Department of Human Resource Management, and Rochester Public Library evaluated the proposals and unanimously recommended Energetix based on their competitive pricing structure and ease of access to collection sites.

Energetix has been providing these services for the City of Rochester for the past three years and currently provides similar services for the State of New York.

The term of this contract will be January 1, 2015 through December 31, 2017.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-198

Ordinance No. 2014-329
(Int. No. 356)

Establishing maximum compensation for a professional services agreement for a Drug and Alcohol Testing Program

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

Section 1. The sum of \$170,430, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Energetix Corporation for administration of the drug and alcohol testing program for a term of three years. Said amount shall be funded from the 2014-15,

2015-16 and 2016-17 Budgets for Undistributed Expense, contingent upon the adoption of subsequent budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmember Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - Councilmember Conklin - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-330
Re: Agreement - Guardian Dental Plan Administration Services

Transmitted herewith for your approval is legislation establishing \$60,000 as maximum compensation for a two-year agreement with The Guardian Life Insurance Company of America, New York, New York, for administration of the Dental Insurance Plan for Administrative, Professional and Technical, and Confidential employees. The agreement will be in effect from January 1, 2015 to December 31, 2016, and will be funded from the 2014-15 Budget for Undistributed Expenses (\$15,000), the 2015-16 Budget for Undistributed Expenses (\$30,000), and the 2016-17 Budget for Undistributed Expenses (\$15,000), contingent upon approval of future budgets.

Guardian has provided dental benefits for the City on a self-insured basis since 2010. The recommendation to continue with Guardian in a self-funded arrangement for this employee group is based on the following:

- The proposed monthly rate of \$6.30 per enrollee/per month is guaranteed for two years resulting in one of the lowest proposals received.
- Claims funding for Guardian is required on a monthly basis. Other proposals received requested weekly or daily funding with a requirement for claims to be pre-funded. Guardian's monthly funding process requires the least disruption for internal stakeholders and resources.
- Participants are provided an annual maximum benefit of \$1,000 which limits the City's self-insurance liability with regard to large claims.
- Effective relationships with Guardian have been developed in all areas of plan management including the billing and reconciliation process, monthly wire transfers, production of reports and online administrative capabilities.

Guardian was selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. 2014-199

Ordinance No. 2014-330
(Int. No. 357)

Establishing maximum compensation for a professional services agreement for Dental Insurance administration

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

Section 1. The sum of \$60,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Guardian Life Insurance Company of America for administration of the dental insurance plan for Administrative, Technical and Professional and Confidential City employees for a term of two years. Said amount shall be funded by \$15,000 from the 2014-15, \$30,000 from the 2015-16 and \$15,000 from the 2016-17 Budgets for Undistributed Expense, contingent upon the adoption of subsequent budgets.

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmember Haag, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - Councilmember McFadden - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-331
Re: Agreement - Lifetime Benefit Solutions Flexible Benefit Plans

Transmitted herewith for your approval is legislation establishing \$95,000 as maximum compensation for a two year agreement with Lifetime Benefit Solutions (formerly EBS-RMSCO, Inc.), Rochester, New York, for administration of the Flexible Spending Accounts (FSA), Parking/Transit Reimbursement Accounts (PTRA) and remaining balances in previously-funded Health Reimbursement Accounts (HRA) for City employees. The agreement will be in effect from January 1, 2015 to December 31, 2016, and will be funded from the 2014-15 Budget for Undistributed Expenses (\$23,750), the 2015-16 Budget for Undistributed Expenses (\$47,500), and the 2016-17 Budget for Undistributed Expenses (\$23,750), contingent upon approval of future budgets.

Lifetime Benefit Solutions has provided FSA and PTRA services for the City since 1992 and HRA

services since 2009. The recommendation to continue with Lifetime Benefit Solutions is based on the following:

- The proposed rates of \$2.25 per enrollee/per month for an HRA and \$1.60 per enrollee/per month for a PTRAs are among the lowest rates received.
- The combined rate for an employee having both an FSA and an HRA is \$2.25 per enrollee/per month, which is the lowest rate received.
- Administration rates have not increased since 2010 and are slightly lower than the current contract rates.
- Effective systems have been developed with Lifetime Benefit Solutions with reference to the administration of the FSA and PTRAs programs, including the establishment of funding accounts, regular transfer of money, production of reports and online administrative capabilities.
- Lifetime Benefit Solutions has demonstrated experience in providing an automatic claims transfer option that reduces the need to file manual claims for reimbursement.

Lifetime Benefit Solutions was selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-200

Ordinance No. 2014-331
(Int. No. 358)

Establishing maximum compensation for a professional services agreement for Flexible Benefit Plans administration

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

Section 1. The sum of \$95,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Lifetime Benefits Solutions to administer the Flexible Spending Accounts, Parking/Transit Reimbursement Accounts, and the remaining balances in the Health Reimbursement Accounts, for a term of two years. Said amount shall be funded by \$23,750 from the 2014-15, and by \$47,500 from the 2015-16 and by \$23,750 from the 2016-17 Budgets for Undistributed Expense, contingent upon the adoption of the subsequent budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-332
Re: Agreement - MVP Health Care,
COBRA Administration Services

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for a two-year agreement with MVP Health Care for COBRA Administration Services. The agreement will be in effect from January 1, 2015 to December 31, 2016, and will be funded from the 2014-15 Budget for Undistributed Expenses (\$5,000), the 2015-16 Budget for Undistributed Expenses (\$10,000), and the 2016-17 Budget for Undistributed Expenses (\$5,000), contingent upon approval of future budgets.

COBRA (Consolidated Omnibus Budget Reconciliation Act) is regulated by both federal and state law and provides continuation rights for group health coverage that otherwise might be terminated. COBRA ensures certain former employees, retirees, spouses, former spouses, and dependent children the right to temporary continuation of health coverage at group rates.

The administration of COBRA includes compliance with guidelines that require mailing a variety of notifications to potential and covered participants. These notifications inform participants of their rights to continuation coverage, and are mailed when initially enrolled, when making changes to coverage, and if/when coverage is lost. In addition, regulations include very specific guidelines regarding the billing and premium collection process for enrollees.

The recommendation to select MVP Health Care is based on the following:

- MVP proposed the lowest rates and rates are guaranteed for two years.
- MVP's rates include full administration of the federally-mandated COBRA process, including notifications, invoicing, collecting premiums and maintaining required logs of activity.
- MVP has proven capabilities that ensure adherence to continually changing compliance requirements in all areas of U.S. Department of Labor regulations. This has been demonstrated with the City of Rochester and with other large organizations in the Rochester area.

MVP was selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-201

Ordinance No. 2014-332
(Int. No. 359)

Establishing maximum compensation for a professional services agreement for COBRA administration services

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

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and MVP Health Care for COBRA administration services, for a term of two years. Said amount shall be funded by \$5,000 from the 2014-15, \$10,000 from the 2015-16 and \$5,000 from the 2016-17 Budgets for Undistributed Expense, contingent upon the adoption of subsequent budgets.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-333
Re: Agreement - RCTV

Transmitted herewith for your approval is legislation establishing \$3,600 as maximum compensation for a contract with Rochester Community Television (RCTV). This agreement with RCTV will be for the production of informational television shows and commercials with the City Council.

The contract will be for nine (9) television shows and nine (9) informational commercials. Topics include City Council structure and oversight, City processes and programs, as well as other pertinent City information that may arise during the term of the contract.

A contract already exists with RCTV in the amount of \$13,000 with the Department of Recreation and Youth Services related to the Summer of Opportunity Program, which is why this contract under the \$10,000 threshold is before the Council for approval.

A request for proposals was not issued due to the unique qualifications that RCTV has to administer and perform this service. A justification statement is attached.

Respectfully submitted,
Loretta C. Scott
President

Attachment No. AN-202

Ordinance No. 2014-333
(Int. No. 389)

Establishing maximum compensation for a professional services agreement for producing

and editing informational television shows and public service announcements

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

Section 1. The sum of \$3,600, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Rochester Community Television, Inc. for producing and editing informational television shows and public service announcements. The agreement shall be for a term of one year. Said amount shall be funded from the 2014-15 Budget of the City Council.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Palumbo
November 12, 2014

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 360 - Authorizing the sale of real estate

Int. No. 361 - Authorizing the acceptance of real estate by donation

Int. No. 362 - Appropriating funds for the Lead Hazard Control Program

Int. No. 385 - Authorizing an agreement with the United Way Services Corporation for administrative services for the Rochester/Monroe County Continuum of Care and amending Ordinance 2013-42

Int. No. 386 - Authorizing an agreement with Labella Associates, D. P. C. for the development of a 2015-19 Consolidated Community Development Plan and appropriating funds

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 363 - Amending Chapter 120 of the Municipal Code, the Zoning Code, by adding the Century-Strathallan Planned Development District #16

Int. No. 364 - Amending Chapter 120 of the Municipal Code, the Zoning Code, by changing the zoning classification of 546, 566, and 586 East Avenue and 7 Strathallan Park from R-3 High Density Residential District/O-O Overlay-Office District to Planned Development District #16 Century-Strathallan

Int. No. 365 - Changing the zoning classification of 15 McArdle Street from R-1 Low Density Residential District to M-1 Industrial District

Int. No. 366 - Changing the zoning classification of 400 and 440 East Avenue from R-3 High Density Residential District to CCD Center City District

The following entitled legislation is being held in Committee:

Int. No. 388 - Amending the 2008-09, 2011-12 and 2012-13 Consolidated Community Development Plans and appropriating funds and authorizing agreements for the Owner-Occupant Roofing Program

Respectfully submitted,
Carla M. Palumbo
Michael A. Patterson
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-334
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation approving the sale of four properties. City records have been checked to ensure that purchasers, except those buying unbuildable vacant lots, do not own other properties with code violations or delinquent taxes, and have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

The first two properties are vacant lots sold by negotiated sale to the adjacent owners, who will combine these lots with their existing properties.

The next two properties are unbuildable vacant lots, being sold for \$1.00, as per City policy, to the adjacent owners, who will combine the lots with their existing properties.

The first year projected tax revenue for these four properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,197.

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

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-203

Ordinance No. 2014-334
(Int. No. 360)

Authorizing the sale of real estate

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

Section 1. The Council hereby approves the negotiated sale of the following parcels of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
554 Hudson Av	106.33-3-48.1	118x122	10,223	\$600	E3 Rochester Real Estate, LLC*
953 Jay St	105.80-1-28	50x100	5,000	\$425	Don J. Max

*Officers: Richard Kaplan, Treasurer; Meghan Schubmehl, Secretary; Dale Twardokus, Chairman

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u> <u>Sq. Ft.</u>	<u>S.B.L.#</u> <u>Purchaser</u>	<u>Lot Size</u>
40 Ketchum St 3,114	106.22-3-36 Michael Rossiter	35x92
125 Whitney St 2,462	105.82-3-77 Daniel & Susan Goff	34x76

Attachment No. AN-204

Ordinance No. 2014-335
(Int. No. 361)

Authorizing the acceptance of real estate by donation

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

Section 1. The Council hereby authorizes the acceptance of the donation of real estate parcels from the Rochester Land Bank Corporation as follows:

<u>Address</u>	<u>SBL No.</u>
75 Hazelwood Terrace Demolition	107.53-2-47
563 Maple Street Demolition	120.34-1-3
133 Mason Street Hold/Focused Investment Strategy	090.82-3-82
24-26 Mazda Terrace Request for Proposal/On-site Auction	091.70-2-50
19 Woodward Street Request for Proposal/On-site Auction	106.65-3-4.1

Section 2. Upon transfer of title to the City, any City taxes and other City charges, against said properties are hereby canceled.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-336
Re: 2012 Lead Hazard Control Program

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the appropriation of \$235,000 from the Lead Hazard Reduction allocation of the Housing Development Fund of the 2012-13 Community Development Block Grant (\$35,000) and the Lead Hazard Reduction allocation of the Housing Development Fund of the 2014-15 Community Development Block Grant (\$200,000) for the Lead Hazard Control program.

Ordinance No. 2012-288 authorized funding and agreements to support a \$3 million grant received in 2012 from the U.S. Department of Housing and Urban Development (HUD) Office of Healthy Homes and Lead Hazard Control. Under the terms of this grant, the City is required to produce a funding match of \$1,137,441 over the three-year life of the grant and produce 220 units of lead-safe housing by May 31, 2015. Since the program is in its third year, this authorization will constitute the City's final contribution to fulfill its obligations to HUD. Below is a summary of the City's total fund-

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-335
Re: Real Estate Donations

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation related to the acceptance by donation of certain real properties from the owner, Rochester Land Bank Corporation (RLBC). The RLBC acquired the properties by donation from Wells Fargo Bank, NA. Council authorization is needed to accept the following parcels:

<u>Address</u>	<u>Purpose</u>
75 Hazelwood Terrace	Demolition
563 Maple Street	Demolition
133 Mason Street	Hold/Focused Investment Strategy
24-26 Mazda Terrace	Request for Proposal/On-site Auction
19 Woodward Street	Request for Proposal/On-site Auction

Accepting these donations will allow the City to remove blight in neighborhoods where redevelopment plans are in place and other investments of public dollars have been made through demolition, or managing the disposition of salvageable properties to qualified buyers who will restore them to productive use.

Upon acquisition of the properties by the City, any taxes or charges levied after the date of closing shall be canceled. The properties will be conveyed with no other outstanding liens or encumbrances.

Respectfully submitted,
Lovely A. Warren
Mayor

ing commitments to date:

Personnel (salary, fringe and indirect costs)	\$287,444.51
Ordinance No. 2012-65	200,000.00
Ordinance No. 2012-288	140,000.00
Ordinance No. 2013-233	225,000.00
Greater Rochester Health Foundation	<u>50,000.00</u>
Total	\$902,444.51

The funds appropriated herein will be used by the City to conclude the Lead Hazard Control program. A total of 155 units have been completed and 65 units remain to be completed. It should be noted that approximately \$200,000 of Lead Hazard Control funding remains set aside for emergency cases where a child is at risk and/or for families with lead-poisoned children. It is expected that the program will be fully closed out by May 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-336
(Int. No. 362)

Appropriating funds for the Lead Hazard Control Program

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

Section 1. The sum of \$35,000, or so much thereof as may be necessary, is hereby appropriated from the Housing Development Fund (Lead Hazard Reduction allocation) of the 2012-13 Community Development Block Grant, to fund the Lead Hazard Control Program, and the sum of \$200,000, or so much thereof as may be necessary, is hereby appropriated from the Housing Development Fund (Lead Hazard Reduction allocation) of the 2014-15 Community Development Block Grant, to fund the Lead Hazard Control Program.

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Lead Hazard Control Program. For any agreement with an organization, the City shall only enter into agreements with organizations that are in compliance with Federal regulations.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-337
Re: Amendment - Ordinance 2013-42,
Continuum of Care/United Way
Services Corporation

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation amending Ordinance No. 2013-42. This legislation will:

1. Amend the funding source of the \$32,000 appropriation from 2011-12 Emergency Shelter Grant (ESG) funds to the 2014-15 Budget of the Department of Neighborhood and Business Development.
2. Amend the authorization to enter into an agreement with the United Way Services Corporation (UWSC), to include language authorizing the appointment of an alternate fiduciary by UWSC for the activities related to the Continuum of Care (CoC).
3. Amend the term of the agreement from two years to one year with an option to extend for an additional year if funds remain in the original appropriation.

Ordinance No. 2013-42 established \$32,000 as maximum compensation for the City's share of an agreement with UWSC for administration of the Rochester/Monroe County Continuum of Care (CoC). That year, there was a delay in the award of funding from the U.S. Department of Housing and Urban Development, and the CoC project was not moving forward. As a result of both circumstances, the 2011-12 ESG funds were reappropriated via Ordinance No. 2013-282 for other ESG Rapid Rehousing activities and UWSC requested authorization to appoint an alternate fiduciary.

CoC is a consortium of funders, providers, and formerly homeless representatives that collaboratively plans for the uses of federal funds serving individuals and families who are homeless or at risk of becoming homeless. By amending Ordinance No. 2013-42, the City will proceed with its original intention to support the CoC.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-337
(Int. No. 385)

Authorizing an agreement with the United Way Services Corporation for administrative services for the Rochester/Monroe County Continuum of Care and amending Ordinance 2013-42

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the United Way Services Corporation, or a fiduciary agent designated by United Way Services Corporation, for administrative services for the Rochester/Monroe County Continuum of Care. The agreement shall have a term of one year, with an option to extend for one

year if funds remain in the original appropriation.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$32,000 and said amount, or so much thereof as may be necessary, shall be funded from the 2014-15 Budget of the Department of Neighborhood and Business Development. The provisions of Ordinance No. 2013-42 are hereby amended to change the source of funding as set forth herein.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-338
Re: Agreement - LaBella Associates, D.P.C.,
2015-19 Consolidated Community
Development Plan

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation establishing \$27,600 as maximum compensation for an agreement with LaBella Associates, D.P.C, Rochester, New York, for the development of the 2015-19 Consolidated Community Development Plan, and appropriating \$27,600 from the Community Planning and Leadership Development allocation of the Neighborhood and Asset-Based Planning Fund of the 2014-15 Community Development Block Grant (CDBG) to fund the cost of the agreement.

LaBella Associates will develop the City's 2015-19 Consolidated Community Development Plan (five-year strategic plan) which will be used to guide the City's funding decisions for federally funded programs of CDBG, Emergency Solutions Grant (ESG), Housing Opportunities for Persons with AIDS (HOPWA) and HOME. The document is required by the U.S. Department of Housing and Urban Development, which oversees these funds.

The consultant will provide a comprehensive analysis of existing conditions that identifies the current constraints and challenges facing the city's low to moderate income population and the needs of the community. Further, they will provide for community input about the proposed five-year strategic plan, and present recommendations for use of the aforementioned federal funds.

LaBella Associates was selected through a request for proposal process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-205

Ordinance No. 2014-338
(Int. No. 386)

Authorizing an agreement with LaBella Associates, D.P.C for the development of a 2015-19 Consolidated Community Development Plan and appropriating funds

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

Section 1. The Mayor is hereby authorized to enter into an agreement in an amount not to exceed \$27,600 with LaBella Associates, D.P.C for the development of a 2015-19 Consolidated Community Development Plan. The sum of \$27,600 from the Community Planning and Leadership Development allocation of the Neighborhood and Asset-Based Planning Fund of the 2014-15 Community Development Block Grant is hereby appropriated to fund the cost of the agreement.

Section 2. The agreement shall have a term of one year, with an option to extend for one year if funds remain in the original appropriation.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-339 and
Ordinance No. 2014-340
Re: Century - Strathallan Planned Development
District #16

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation amending the City Zoning Text and Map to establish a Planned Development District (PD) for the Century Club and Strathallan Hotel. The Century-Strathallan PD consists of the following four parcels: 546, 566, 586 East Avenue and 7 Strathallan Park. 546 and 566 East Avenue are owned by the Century Club, and 586 East Avenue and 7 Strathallan Park are owned by the Strathallan Hotel. This legislation will:

- 1) Amend the Zoning Text by adding PD #16 Century-Strathallan Planned Development District regulations to Chapter 120, the Zoning Code, and approving the Development Concept Plan/Site Plan; and
- 2) Amend the Zoning Map by rezoning the above four parcels from R-3 High Density Residential District/O-O Overlay-Office

District to Planned Development District #16 Century-Strathallan.

These two parcels are currently zoned R-3/O-O thereby making the hotel and Century Club non-conforming uses in the District. The intent of the PD is to provide a plan for the unified and integrated development of both of these uses as well as those on the two surrounding properties. The PD is intended to create more flexible development opportunities which are not possible within the current residential district nor through strict application of the land use and development regulations of the Zoning Code. The proposed PD is intended to insure the current and long range success of both the Strathallan Hotel and Century Club.

The City Planning Commission held an informational meeting on this proposed rezoning on Monday, October 6, 2014. Eleven people spoke in support of the rezoning; two people spoke in opposition. By a vote of 5-0, the Planning Commission recommended approval. Minutes of the meeting are attached.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-206

Ordinance No. 2014-339
(Int. No. 363)

Amending Chapter 120 of the Municipal Code, the Zoning Code, by adding the Century-Strathallan Planned Development District #16

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by adding the Planned Development District No. 16 - Century-Strathallan and approving the plan for the district, constituting the parcels at 546, 566, and 586 East Avenue and 7 Strathallan Park to read in its entirety as follows:

Century-Strathallan Planned Development District (PD No. 16)

A. Purpose and Intent.

The Century-Strathallan Planned Development District (Planned Development District No.16, or PD #16) is comprised of approximately 4.5 acres (3.6 acres private land) including four properties with four separate buildings as depicted on the Development Concept Plan and labeled as Sub-areas 1 to 3.

The intent of Century-Strathallan Planned Development District is to provide a defined area for unified and integrated development. It will allow a diversification in the uses permitted and variation in the relationship of uses, structures, and open

spaces. The PD will create more flexible use and development opportunities than would be possible through the strict application of the current R-3 O/O code regulations. The District will provide flexibility and efficiencies, in hotel and club use and operation that will support efforts to meet their needs, those of their customers, and those of travelers visiting the City. The PD is intended to ensure the current and long range success of both the Strathallan Hotel and the Century Club. The PD will clearly set the parameters of use and growth that will protect the adjacent residential neighborhood. From a Code perspective the Strathallan Hotel and Century Club will no longer be regulated as intrusions in the District but rather desirable and important elements of the neighborhood. The Planned Development District regulations will set a clear level of expectation for the future and in doing so will provide more certainty for the ownership and the neighborhood.

Uses may include housing, retail, commercial, office and other complementary hospitality uses. This Planned Development District will incorporate appropriate design elements, amenities or treatments that maintain and enhance the design relationships between buildings and uses within the District and beyond the District in order to maintain an ambience that is uniquely urban and pedestrian oriented.

It is the goal of Planned Development District No.16 that the entirety of the District may be utilized for the integrated and unified use and development of the Century Club and the Strathallan Hotel. The District will provide for the benefits and efficiencies that come with collaborative use and the synergies that will support the success of both facilities. Generally, uses would be for hospitality and lodging related purposes, while at the same time limiting the future adaptive uses as described herein to those that may be conducted within the existing structures or any expansion thereof. The District will afford protections that limit use, clearly define boundaries, better control parking, preserve important open spaces, and provide for the careful consideration of the construction of new buildings. Any development in the District continues to be subject to Rochester Preservation Board approval and site plan approval for incremental development by the Director of Planning and Zoning.

B. Permitted Uses.

Permitted uses in PD #16 are specified for each of the 3 Sub-areas comprising the District:

- (1) Sub-area 1 - 550 (546) East Avenue (Hotel).
 - (a) Hotels.
 - (b) Uses as permitted per Article V of the Zoning Code, R-3 High Density Residential District.
 - (c) Bars, restaurants, conference and banquet facilities, with entertainment.

- (d) Retail sales and services, accessory to the principal use as a hotel.
 - (e) Health clubs, spas and similar facilities.
 - (f) Grade level outdoor seating areas and activities, accessory to the principal use as a hotel, operating between the hours of 6:00 a.m. and 12:00 a.m. (midnight).
 - (g) Roof top outdoor seating areas and activities, accessory to the principal use as a hotel, operating between the hours of 6:00 a.m. and 2:00 a.m.
- (2) Sub-area 2 - 7 Strathallan Park (Residential Structure).
- (a) Uses as permitted per Article V of the Zoning Code, R-3 High Density Residential District.
 - (b) Suites and lodging accessory to the Hotel use in Sub-area 1.
 - (c) Health clubs, spas and similar facilities, accessory to the Hotel use in Sub-area 1.
- (3) Sub-area 3 - 566 East Avenue (Main Building and Carriage House) and 586 East Avenue (Parking Lot).
- (a) Private Clubs.
 - (b) Suites and lodging.
 - (c) Health clubs, spas and similar facilities.
 - (d) Uses as permitted per Article V of the Zoning Code, R-3 High Density Residential District.
 - (e) Restaurant, conference, banquet and catering facilities, with entertainment, except for a principal use in the Carriage House that is not part of or an accessory use to the principal use of another building in the District.
 - (f) Retail sales and services, specialty and low-impact.
 - (g) Offices, except for clinics.
 - (h) Art galleries.
 - (i) Studios for artists, crafters, photographers, composers, writers and the like.
 - (j) Parking lots existing at the time of enactment of this PD, as illustrated on the Development Concept Plan.

C. Special Permit Uses.

- (1) Outdoor entertainment, associated with outdoor seating areas and outdoor activities.
- (2) Any temporary use which exceeds five

occurrences per calendar year.

- (3) Parking garages.
- (4) Construction of new buildings other than uses as permitted as per Article V of the Zoning Code, R-3 High Density Residential District; and, not including additions to existing buildings within the District.
- (5) Restaurant, conference, banquet and catering facilities, with entertainment, when located within the existing Carriage House at 566 East Avenue, when not accessory to a permitted principal use in Sub-area 1 or Sub-area 3.

D. Temporary Uses.

Temporary uses shall be subject to the requirements listed in § 120-149 of the Zoning Code, with the exception that the Director of Planning and Zoning may approve up to five temporary uses per calendar year.

E. Design.

- (1) Front yard depths existing on the date of the amendment shall be maintained.
- (2) A landscape maintenance and open space preservation plan shall be filed with the current plan.
- (3) As per § 120-185 of the Zoning Code all exterior alterations within PD #16 are subject to review and approval by the Rochester Preservation Board.
- (4) Development, redevelopment, and exterior alterations within PD #16 shall be subject to the applicable City-Wide Design Guidelines and Standards (Article XIX).

F. District Setbacks.

Setback requirements shall apply only to street frontages and perimeter lot lines. Buildings or parking lots which at the enactment of this ordinance encroach on the prescribed setbacks shall be recognized as nonconforming structures per Sections 120-200 and 120-208 of the Zoning Code.

- (1) Minimum setback on East Avenue frontage in Sub-area 1 shall be 100 feet.
- (2) Minimum setback on East Avenue frontage in Sub-area 3 shall be 70 feet.
- (3) Minimum setback on Strathallan Park frontage shall be -20 feet.
- (4) Minimum setbacks along District perimeter lot lines shall be 10 feet. (4) Minimum setbacks for parking lots shall be 10 feet from perimeter lot lines and parking lots shall not encroach on street front setbacks as per sub sections F (1) and (2) above.

- (5) Setbacks from interior lot lines: none.

G. Coverage, Open Space and Height Requirements.

- (1) Land coverage within the District shall be a maximum of 50% for building coverage and 70% for lot coverage.
- (2) Dedicated open space shall be as defined and illustrated in the Development Concept Plan.
- (3) Building height.
 - (a) Maximum building height for the existing building in Sub-area 1 shall be 10 stories.
 - (b) Maximum height of new buildings in Sub-area 1 shall not exceed the maximum height allowed in Subareas 2 and 3.
 - (c) Maximum building height for Subareas 2 and 3 shall not exceed two times the building's frontage.

H. Parking and Loading Requirements.

- (1) Parking.
 - (a) Parking for uses located in PD #16 may be located anywhere in the District, except that new parking facilities shall not be located within required front yard setbacks.
 - (b) Proposals for new or expanded parking facilities shall be accompanied by a parking demand analysis as set forth in § 120-173B of the Zoning Code.
 - (c) Parking within the District is restricted to the parking areas shown on the Development Concept Plan.
 - (d) Shared parking arrangements may be employed with properties located outside the District.
 - (e) On street parking spaces within the District may be counted towards the District parking supply.
 - (f) A parking management plan shall be filed at the adoption of the District and updated and updated at the request of the City.
- (2) Loading.
 - (a) On site loading shall comply with the requirements set forth in § 120-172 of the Zoning Code.
 - (b) On site loading facilities may be shared by any uses within the District.

I. Signage.

A sign program shall be developed for the District, which will include building identification, way finding, and event promotion and which will be subject to site plan approval by the Director of Planning and Zoning and Certificate of Appropriateness approval by the Rochester Preservation Board.

J. Other.

- (1) The PD is subject to the requirements set forth in Article XVII of the Zoning Code regarding Planned Development Districts.
- (2) New development in PD #16 is subject to requirements applying to all districts (Article XX) except when waived by the Director of Planning and Zoning in the review and approval of a site plan for incremental development.
- (3) The general height exceptions set forth in Article XXIII shall apply.

K. Accessory Structures and Uses.

- (1) Accessory structures, as per 120-163 A and B, are permitted in connection with the established uses within the District and shall not be located in a required front yard. Accessory structures existing at the time of enactment of this Section shall be considered as legal, pre-existing structures.
- (2) Minor accessory structures, such as benches, knee walls, gazebos, and the like; and hardscape elements of any landscape plan, may be permitted by the Director of Planning and Zoning.

L. Personal Wireless Telecommunications Facilities (PWTF).

Personal wireless telecommunications facilities in the Planned Development District No.16 shall be regulated pursuant to Zoning Code Section 120-143 A (6).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-340
(Int. No. 364)

Amending Chapter 120 of the Municipal Code, the Zoning Code, by changing the zoning classification of 546, 566, and 586 East Avenue and 7 Strathallan Park from R-3 High Density Residential District/O-O Overlay-Office District to Planned Development District #16 Century-Strathallan.

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

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcels: 546, 566, and 586 East Avenue and 7 Strathallan Park, from R-3 High Density Residential District/O-O Overlay-Office District to Planned Development District #16 Century-Strathallan:

**PD #16 Century-Strathallan
LEGAL DESCRIPTION**

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

Beginning at a point in the centerline line of East Avenue (County Route No. 96) 160.28 feet westerly along the centerline from the intersection with the centerline of Strathallan Park;

Thence northerly on a bearing of N 21° 51' 37" E, a distance of 282.19 feet to a point;

Thence westerly on a bearing of N 68° 14' 33" W, a distance of 40.00 feet to a point;

Thence northerly on a bearing of N 21° 51' 37" E, a distance of 109.60 feet to a point;

Thence westerly on a bearing of N 71° 49' 53" W, a distance of 119.96 feet to a point;

Thence northerly on a bearing of N 21° 51' 37" E, a distance of 300.00 feet to a point;

Thence easterly on a bearing of S 71° 49' 50" E, a distance of 140.00 feet to a point;

Thence southerly on a bearing of S 21° 51' 37" W, a distance of 205.85 feet to a point;

Thence easterly on a bearing of S 68° 14' 33" E, a distance of 180.00 feet to a point, said point being in the centerline of Strathallan Park;

Thence southerly along the centerline of Strathallan Park on a bearing of S 21° 51' 37" W, a distance of 190.03 feet to a point;

Thence easterly on a bearing of S 68° 14' 33" E, a distance of 200.00 feet to a point;

Thence southerly on a bearing of S 21° 51' 37" W, a distance of 62.00 feet to a point;

Thence easterly on a bearing of S 68° 14' 33" E, a distance of 56.01 feet to a point;

Thence southerly on a bearing of S 18° 32' 34" W, a distance of 210.88 feet to a point, said point being in the centerline of East Avenue;

Thence westerly along the centerline of East Avenue on a bearing of N 71° 31' 58" W, a

distance of 428.97 feet to a point, said point being the true point and place of beginning.

Being and hereby intending to describe 4.479 acres of land more or less (centerline) including the following properties 546 East Avenue (TA # 121.270-0001-052.001), 7 Strathallan Park (TA # 121.270-0001-051.000), 566 East Avenue (TA # 121.350-0001-067.000), and 586 East Avenue (TA # 121.350-0001-005.000), as shown on an survey map prepared by DDS Companies dated 8/25/2014, titled "Rezoning Map" and having a drawing number of 21-14-L206.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-341
Re: Zoning Map Amendment -
15 McArdle Street

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning 15 McArdle Street from Low Density Residential District (R-1) to Industrial District (M-1). The applicant, Stephen DiPaolo, owns the property at 15 McArdle Street, which he purchased in 1997. The building was constructed in 1948 as a manufacturing building. When Mr. DiPaolo bought the property in 1997, it was zoned M-1 and was part of the manufacturing district that is currently to the south. This property has been zoned M-1 since before 1957. It was rezoned to R-1 in 2003, when the Zoning Code was updated.

As a result of the 2003 rezoning, the applicant's building is now a (legal) nonconforming structure in the district and its uses are nonconforming as well. Z Tek Manufacturing is currently the only occupant in the building, and the rest of the building is vacant. Having this property zoned R-1 means that any future manufacturing uses that locate here would be subject to either a special permit or not permitted.

Therefore, Mr. DiPaolo is asking that the M-1 zoning be restored to the property so that it can once again be part of the existing manufacturing district to the south. His hope is that the M-1 zoning will add value to the property by making it easier to rent and/or sell in the future.

The City Planning Commission held an informational meeting on this proposed rezoning on Monday, October 6, 2014. One person spoke in support of the rezoning. By a vote of 5-0, the Planning Commission recommended approval. Minutes of the meeting are attached.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-207

Ordinance No. 2014-341
(Int. No. 365)

**Changing the zoning classification of 15
McArdle Street from R-1 Low Density Residential
District to M-1 Industrial District**

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

Section 1. Chapter 120 of the Municipal Code,
Zoning Code, as amended, is hereby further
amended by changing the zoning classification of
the following parcels, constituting 15 Mc Ardle
Street from R-1 Low Density Residential District to
M-1 Industrial District:

**LEGAL DESCRIPTION OF LANDS
TO BE REZONED FROM R-1 TO M-1
#15 Mc ARDLE STREET
T.A. #120.310-01-053**

All that tract or parcel of land, situate in the City
of Rochester, County of Monroe, State of New
York, being part of Town Lot 76, 20,000 Acre
Tract and being more particularly bounded and
described as follows: Beginning at the intersec-
tion of the centerline of Mc Ardle Street (58'
ROW) and the northerly extension of the west
line of Lot 28 of the Louis Dezen's Subdivision,
as filed in the Monroe County Clerk's Office in
Liber 76 of Maps, Page 19, said intersection be-
ing the Point or Place of Beginning; thence

- 1) Easterly, along said centerline of Mc Ardle
Street, a distance of 240.0 feet to the nor-
therly extension of the east line of Lot 33 of
said Louis Dezen's Subdivision; thence
- 2) Southerly, along said extension and the east
line of Lot 33, a distance of 157.83 feet to
the southeast corner thereof; thence
- 3) Westerly, along the south line of said Lot
33, a distance of 10.0 feet to a point; thence
- 4) Southerly, parallel with Glide Street (66'
ROW), a distance of 40.0 feet to a point;
thence
- 5) Westerly, parallel with the south line of said
Louis Dezen's Subdivision, a distance of
230.0 feet, more or less, to the southerly ex-
tension of the said west line of Lot 28;
thence
- 6) Northerly, along said extension and the west
line of Lot 28, a distance of 200.1 feet to the
said centerline of Mc Ardle Street, being the
Point or Place of Beginning.

Section 2. This ordinance shall take effect im-
mediately.

Passed by the following vote:

Ayes - President Scott, Councilmember McFadden,
Miller, Ortiz, Palumbo, Patterson, Spaul - 7.

Nays - Councilmember Conklin, Haag - 2.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-342
Re: Zoning Map Amendment - 400 and 440
East Avenue

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legisla-
tion amending the Zoning Map of the City of
Rochester by rezoning the properties at 400 and
440 East Avenue from High Density Residential
District with Office Overlay (R-3/O-O) to Center
City District, East End District (CCD-E).

The subject properties are in immediate proximity
to the Center City. The proposed rezoning will
allow for the future conversion of the existing
church at 440 East Avenue to an opera house, a use
conversion which is prohibited under the current R-
3/O-O zoning classification of the property.

The City Planning Commission will hold an infor-
mational meeting on this proposed rezoning on
Monday, November 10, 2014. Minutes from the
informational meeting and the City Planning
Commission's recommendation will be promptly
forwarded to Council.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-208

Ordinance No. 2014-342
(Int. No. 366)

**Changing the zoning classification of 400 and
440 East Avenue from R-3 High Density Resi-
dential District to CCD Center City District**

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

Section 1. Chapter 120 of the Municipal Code,
Zoning Code, as amended, is hereby further
amended by changing the zoning classification of
the following parcels, constituting 400 and 440
East Avenue from R-3 High Density Residential
District to CCD Center City District:

**LEGAL DESCRIPTION OF LANDS
TO BE REZONED R-3 TO CCD
#400-404 & #440 EAST AVENUE
T.A. # 121.260-01-028 & 030.002**

All that tract or parcel of land, situate in the City

of Rochester, County of Monroe, State of New York, being part of Town Lots 58 & 59, 2nd Division, and being more particularly bounded and described as follows: Beginning at the centerline intersection of Prince Street (58' ROW) and East Avenue (66' ROW), said intersection being the Point or Place of Beginning; thence

- 1) Westerly, along said centerline of East Avenue, a distance of 380.2 feet, more or less, to the southerly projection of the west line of lands conveyed to Rural Opportunities Inc. by a deed filed in Liber 8963 of Deeds, Page 579; thence
- 2) Northerly, along said extension and the west line of Rural Opportunities Inc., a distance of 478.5 feet, more or less, to the northwest corner thereof; thence
- 3) Easterly, along the north line of said Rural Opportunities Inc., a distance of 216.15 feet to an angle point; thence
- 4) Southerly, along the east line of said Rural Opportunities Inc., a distance of 65.0 feet to an angle point; thence
- 5) Easterly, along said north line of Rural Opportunities Inc., a distance of 179.0 feet, more or less, to the said centerline of Prince Street; thence
- 6) Southerly, along said centerline of Prince Street, a distance of 390 feet, more or less, to the said centerline of East Avenue, being the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 388
Re: Owner-Occupant Roofing Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Owner-Occupant Repair Program. This legislation will:

- 1. Amend Ordinance No. 2013-187 and the 2011-12 Consolidated Community Development Plan to reduce the appropriation made in Section 1 for the Emergency Assistance Repair Program by \$63,000, and transfer and reappropriate such funds for the Owner-Occupant Roofing Program.
- 2. Amend Ordinance No. 2009-09 and the 2008-09 Consolidated Community Development Plan to reduce the appropriation made in Section 2 for the Emergency Assistance Repair Program by \$59,548, and trans-

fer and reappropriate such funds for the Owner-Occupant Roofing Program.

- 3. Amend Ordinance No. 2012-291 and the 2012-13 Consolidated Community Development Plan to reduce the appropriation made in Section 3 for the Emergency Assistance Repair Program by \$500,000, and transfer and reappropriate such funds for Owner-Occupant Roofing Program.
- 4. Appropriate \$1,256,496 from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-15 Community Development Block Grant.
- 5. Authorize \$1,673,544 for the Owner-Occupant Roofing Program to be funded from the above appropriations.
- 6. Authorize \$100,000 to establish a warranty fund for the program to be funded from the above appropriation.
- 7. Establish \$50,000 as maximum compensation for agreements with the lead hazard evaluation firms of Environmental Testing & Consulting, Inc., Batavia, New York, and NeighborWorks Rochester, Inc., Rochester, New York, to be funded from the above appropriations.
- 8. Establish \$40,500 as maximum compensation for an agreement with Action for a Better Community (ABC) to provide customer services for the Owner-Occupant Roofing Program to be funded from the above appropriations.
- 9. Authorize \$10,000 for marketing the Owner-Occupant Roofing Program to be funded from the above appropriations.
- 10. Establish \$5,000 as maximum compensation for an agreement with the Center for Dispute Settlement to provide arbitration services for the Owner-Occupant Roofing Program to be funded from the above appropriations.

The Owner-Occupant Roofing Program is a housing rehabilitation initiative designed to assist eligible homeowners with roof replacements. A total of \$1,673,544 will be available city-wide to assist approximately 60 homeowners. Eligible owners will receive financial assistance not to exceed \$28,000 for roof replacement and associated lead hazard control, and must sign an agreement with the City that requires a residency period of three years. Homeowners also will be required to provide a financial contribution based on the following income scale:

<u>% of Area Median Income</u>	<u>Contribution</u>
0-30	\$50
30-50	\$250

To market the program, the City will utilize conventional forms of media including advertisements in community newsletters; TV, radio and internet

advertisements, flyers, brochures and posters, public announcements, etc., to raise community awareness over a 30-day period. The cost of the media campaign is expected to be \$10,000.

The marketing materials will invite homeowners to apply for the program at their local Neighborhood Service Center (NSC) by completing a pre-application which will ask the applicant to verify the following:

- Applicant is an owner-occupant and the property is their principal place of residency.
- Household income is at or below 50% of the area median income.
- City property taxes are up-to-date and/or current with a tax agreement.
- Applicant has not received a housing grant in the past seven years (excluding lead hazard control).

Pre-applications will be remitted to a drop-box. Applicants will receive a copy of their pre-application with a time-date stamp and be informed that a public drawing will take place to select applicants. The date, time and place of the public drawing will appear on the pre-application form.

After the 30-day marketing period has expired, the public drawing will take place (at a venue to be determined) to select pre-applications. A total of 60 pre-applications will be drawn and each applicant will be recorded for the public record. An additional 30 pre-applications will be drawn, recorded and held in reserve in the event that a property owner is unable to proceed with the program. The selected applicants will be notified by mail and instructions will be included to inform the applicant about "next steps" and provide a City contact and phone number to address questions.

ABC will manage the intake process for selected applicants by providing assistance to complete the final application. ABC will be available to meet applicants at their respective NSC office. Cost estimates for this service were obtained through a limited request for proposal (RFP), as described in the attached summary. Completed applications will be forwarded to the City for approval, after which individual project work specifications will be completed by City staff. Projects will be awarded to term contractors on a rotating basis. A total of two term contracts will be in place by December 1, 2014.

Enrolled properties will have a lead-based paint risk assessment to identify lead-based paint hazards. Environmental Testing & Consulting and NeighborWorks Rochester will provide this service for the City, as they have for the past five years. The last RFP completed for these services was in 2013 and NeighborWorks Rochester, Environmental Testing & Consulting, Envoy Environmental and Lew Corporation were selected, with Environmental Testing & Consulting and NeighborWorks Rochester receiving the highest scores. A justifica-

tion statement for not issuing another RFP is attached.

All lead-based paint hazards will be addressed before roof work begins. The City will utilize its standard housing rehabilitation procedures for completing this work: City staff will prepare work specifications which will then be bid to City-approved lead hazard control contractors.

Roofing contractors will be required to supply a one-year labor warranty; manufacturers, a 25-30 year shingles warranty. To safeguard against issues arising after the labor warranty expires, a \$100,000 warranty fund will be established for the program. The City will make every effort to ensure quality workmanship and will demand that contractors correct post-construction deficiencies. Sometimes, however, years after work is completed, a problem arises that is out of the control of the contractor. The warranty fund will be used to assist with these cases. The warranty fund also will be available to assist with emergency cases, such as a roof collapse, that occur after enrollment for the program is complete.

The Center for Dispute Settlement will provide arbitration services for the program to settle disputes that may arise between contractors and homeowners.

The program is expected to begin by January 1, 2015 and conclude by September 30, 2015.

A public hearing on the amendments to the 2008-09, 2011-12 and 2012-13 Consolidated Community Development Plan Annual Action Plans and reprogramming of funds is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 388

AMENDING THE 2008-09, 2011-12 AND 2012-13 CONSOLIDATED COMMUNITY DEVELOPMENT PLANS AND APPROPRIATING FUNDS AND AUTHORIZING AGREEMENTS FOR THE OWNER-OCCUPANT ROOFING PROGRAM

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

Section 1. The 2008-09, 2011-12 and 2012-13 Consolidated Community Development Plans are hereby amended to change the use of funds as follows:

- A. Amend Ordinance No. 2009-09 to reduce the appropriation made in Section 2 for the Emergency Assistance Repair Program by \$59,548 and transfer and reappropriate such funds for the Owner-Occupant Roofing Program.
- B. Amend Ordinance No. 2012-291 to reduce the appropriation for the Emergency Assis-

tance Repair Program made in Section 3 thereof by \$500,000 and transfer and reappropriate such funds for the Owner-Occupant Roofing Program.

- C. Amend Ordinance No. 2013-187 to reduce the appropriation made in Section 1 for the Emergency Assistance Repair Program by \$63,000 and transfer and reappropriate such funds for the Owner-Occupant Roofing Program.

Section 2. The amount of \$1,256,496 is hereby appropriated from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-15 Community Development Block Grant to fund the Owner-Occupant Roofing Program.

Section 3. The Department of Neighborhood and Business Development is hereby authorized to implement the Owner-Occupant Roofing Program and to expend funds from the amounts appropriated in Sections 1 and 2 herein up to a maximum of \$1,673,544. Of said amount, \$100,000 shall be established as a warranty fund, and may be utilized to pay warranty claims on such terms and conditions as may be established by the Program guidelines, and \$10,000 shall be utilized to fund marketing of the Program.

Section 4. The Mayor is hereby authorized to enter into agreements for lead hazard evaluation in connection with the Owner-Occupant Roofing Program in a total amount not to exceed \$50,000 with the following firms: Environmental Testing & Consulting, Inc. and NeighborWorks Rochester, Inc.

Section 5. The Mayor is hereby authorized to enter into an agreement not to exceed \$40,500 with Action for a Better Community, Inc. to provide customer services and application processing for the Owner-Occupant Roofing Program.

Section 6. The Mayor is hereby authorized to enter into an agreement not to exceed \$5,000 with the Center for Dispute Settlement, Inc. to provide arbitration services for the Owner-Occupant Roofing Program.

Section 7. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth which may have changed prior to the date of this ordinance.

Section 8. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Lead Hazard Control Program.

Section 9. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. For any agreement with an organization, the City shall only enter into agreements with organizations that are in compliance with Federal regulations. The agreements shall extend for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 10. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember Haag
November 12, 2014

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

Int. No. 367 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,265,000 bonds of said City to finance the cost of the East End Parking Garage Rehabilitation Project

Int. No. 368 - Authorizing an amendatory professional services agreement with T.Y. Lin International for the East End Park Garage Rehabilitation Project

Int. No. 369 - Authorizing a professional services agreement with T.Y. Lin International for the Parking Garage Evaluation and Repair Program

Int. No. 370 - Authorizing agreements for mechanical, electrical and plumbing engineering services for City facilities

Int. No. 371 - Amending Ordinance No. 2014-99 regarding the acquisition of properties for the Hincer Street Group Improvement Project

Int. No. 372 - Authorizing an intermunicipal agreement for the Monroe County Stormwater Coalition

Int. No. 384 - Authorizing agreements for architectural services for City facilities

Int. No. 387 - Authorizing agreements and appropriating funds for the Broad Street Bridge Preventive Maintenance Project

The following entitled legislation is being held in Committee:

Int. No. 373 - Amending the Official Map by renaming Mortimer Street between St. Paul Street and North Clinton Avenue as RTS Way

Respectfully submitted,
Matt Haag
Elaine M. Spaul
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-343 and
Ordinance No. 2014-344

Re: Amendatory Agreement - T.Y. Lin
International Consulting Services, East
End Parking Garage Rehabilitation
Project

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legisla-
tion related to the East End Parking Garage Reha-
bilitation Project. This legislation will:

1. Authorize the issuance of \$2,265,000 in bonds and the appropriation of the proceeds therein to finance the East End Parking Garage Rehabilitation Project.
2. Establish \$100,000 as maximum compensation for an amendatory agreement with T.Y. Lin International, Rochester, New York, for additional engineering and resident project representation services for this project. The original agreement for \$615,000 was authorized in May 2014 (Ord. No. 2014-130). This agreement will increase maximum compensation by \$100,000 to a total of \$715,000. The cost of the agreement will be funded from 2013-14 Parking Cash Capital allocation.

The East End Parking Garage is located at the southwest corner of Scio and East Main Streets, in the City's East End District. The project includes post-tension tendon repairs in the existing concrete deck slabs, related repairs to structural components, deck waterproofing and sealing, and drainage structures replacement. Deficiencies in mechanical, electrical, plumbing, Americans with Disabilities Act code compliance, signage and public safety may also be addressed as budget allows.

The consultant will provide additional engineering and resident project representation services for the modernization of a portion of the elevators within the garage.

The project is anticipated to be bid in January 2015. Construction is scheduled to begin in April 2015 with completion in December 2015. Total construction cost of the project, including contingency, is estimated at \$4,210,000 and will be funded as follows:

Construction	
Bonds Requested Herein	\$2,265,000
2013-14 Cash Capital (Parking)	<u>1,945,000</u>
Total	\$4,210,000

The project will result in the creation/retention of the equivalent of 37.9 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-343
(Int. No. 367)

**Bond Ordinance of the City of Rochester,
New York authorizing the issuance of \$2,265,000**

**bonds of said City to finance the cost of the East
End Parking Garage Rehabilitation Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the cost of the reconstruction or repair of the East End Parking Garage in the City, being a Class "A" building, including but not limited to post-tension tendon repairs, deck waterproofing and sealing, repair to structural components, and drainage structures replacement (the "Project"). The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,210,000. The plan of financing includes the issuance of \$2,265,000 bonds of the City, and said amount is hereby appropriated therefor, together with the application of \$1,945,000 in current City Cash Capital funds from the 2013-14 Parking Cash Capital allocation, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$2,265,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$2,265,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.12 of the Law, is twenty (20) years.

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

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

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

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

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

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

Passed unanimously.

Ordinance No. 2014-344
(Int. No. 368)

Authorizing an amendatory professional services agreement with T.Y. Lin International for the East End Parking Garage Rehabilitation Project

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and T.Y. Lin International for engineering and resident project representation services for the East End Parking Garage Rehabilitation Project. The amendment shall increase the maximum amount of the agreement by \$100,000 to a total of \$715,000. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount shall be funded from the 2013-14 Parking Cash Capital allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-345
Re: Agreement - T.Y. Lin International,
Parking Garage Evaluation and Repair
Program

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$500,000 as maximum compensation for T.Y. Lin International, Rochester, New York, for engineering and architectural inspection and design services related to the Annual Parking Garage Evaluation and Repair Program. The cost of this agreement will be funded from 2014-15 Parking Cash Capital allocation.

The City owns and maintains nine municipal parking garages. Under this program, the structural and building facility conditions of the City's garages are examined on a yearly basis and any required repairs are identified, prioritized and scheduled for repair within program funding limits. T.Y. Lin International will provide garage inspections, miscellaneous structural and building facility investigations, design and construction reviews, contract preparation, and general consultation services, as well as maintaining the five-year long-term capital program for all City garages. Resident project representation services for annual repair construction contracts will be provided under separate agreements.

T.Y. Lin International was selected through a request for proposal process described in the attached summary.

The agreement will have an initial term of one year with provision for four annual renewals. The subsequent renewals will be financed from future Parking Cash Capital allocations and shall not exceed \$500,000 annually.

The table below shows the Capital Improvement Program debt plan for the annual construction projects related to this agreement:

<u>Capital Programming</u>		<u>2014-15</u>
<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
Garage Repair Program		\$1,054,000
\$1,101,000	\$1,134,000	\$1,185,000
Garage Elevator Program		375,000
<u>1,700,000</u>	<u>1,575,000</u>	<u>1,300,000</u>
Total Construction		\$1,429,000
\$2,801,000	\$2,709,000	\$2,485,000

The initial agreement results in the creation/retention of the equivalent 5.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-209

Ordinance No. 2014-345
(Int. No. 369)

Authorizing a professional services agreement with T.Y. Lin International for the Parking Garage Evaluation and Repair Program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and T.Y. Lin International for engineering and architectural inspection and design services for the Parking Garage Evaluation and Repair Program. The agreement shall have a maximum amount of \$500,000 per year. The agreement shall have a term of one year with four optional one year renewals. The cost of the agreement shall be funded from the 2014-15 Parking Cash Capital allocation, and any renewals shall be funded from the Parking Capital allocations in subsequent budgets, contingent upon the adoption of said budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-346
Re: Agreements - Mechanical,
Electrical and Plumbing
Engineering Services

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to mechanical, electrical and plumbing (MEP) engineering:

<u>Company</u>	<u>Address</u>
Barton & Loguidice, P.C.	11 Centre Park, Suite 203 Rochester, NY 14614
Hunt Engineers, Architects & Land Surveyors, P.C.	4 Commercial Street, Suite 300 Rochester, NY 14614
Erdman Anthony & Associates, Inc.	145 Culver Road, Suite 200 Rochester, NY 14620
LaBella Associates, D.P.C.	300 State Street, Suite 201 Rochester, NY 14614
Stantec Consulting Services, Inc.	61 Commercial Street Rochester, NY 14614

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary, the departments using the services or from capital funds appropriated for specific projects. Similar agreements for MEP engineering services have been in place since 2005. These services include MEP investigations of existing facilities as requested by the City, preparing contract documents for contracted maintenance work and providing inspection of that work during construction, and reviewing designs for specific construction projects.

Barton & Loguidice, P.C., Hunt Engineers, Architects & Land Surveyors, P.C., Erdman Anthony & Associates, Inc., LaBella Associates, D.P.C., and Stantec Consulting Services, Inc., were selected for MEP engineering services through a request for proposal process, which is described in the attached summary.

These agreements will provide MEP engineering services at specified unit prices. The selection of the company will be based on project specific proposals, type of services required, and the ability to perform the services within the time specified by the City.

The agreements will be for a term of three years.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-210

Ordinance No. 2014-346
(Int. No. 370)

Authorizing agreements for mechanical, electrical and plumbing engineering services for City facilities

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for mechanical, electrical and plumbing engineering services required for building renovation or capital projects as required by the City:

Barton & Loguidice, P.C.
Hunt Engineers, Architects & Land Surveyors, P.C.
Erdman Anthony & Associates, Inc.
Stantec Consulting Services, Inc.
LaBella Associates, D. P.C.

Ordinance No. 2014-347
(Int. No. 371)

Amending Ordinance No. 2014-99 regarding the acquisition of properties for the Hinchler Street Group Improvement Project

Section 2. The agreements shall extend for a term of three years, and shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual Budget of the Department of Environmental Services, or other Departments using these services or from capital project appropriations.

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

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

Section 1. Ordinance No. 2014-99 regarding the acquisition of properties for the Hinchler Street Group Improvement Project is hereby amended by amending Section 4 of said Ordinance to increase the acquisition cost of certain parcels as described below:

Section 4. This ordinance shall take effect immediately.

<u>Address</u>	<u>Property Owner</u>		
	<u>Revised Sq. Ft.</u>	<u>Original Value</u>	<u>Revised Value</u>
46 Fleming 120	Rose M. Turtu	\$150	\$250
48 Fleming 120	Suzanne Armstrong	\$150	\$250
50 Fleming 120	David Snook	\$150	\$250
54 Fleming 180	Rockbridge Properties LLC	\$1,050	\$630
76 Fleming 120	Michael Paliani	\$150	\$250
80 Fleming 150	Jason R. Pastore	\$200	\$300

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-347
Re: Technical Amendment - Ordinance No. 2014-99, Hinchler Group Street Improvement Project

Transmitted herewith for your approval is legislation amending Ordinance No. 2014-99 to amend the acquisitions of the following properties to permanent easements, revise the value and size of the properties, and remove the dedication of these properties to right-of-way. The following are revised values and square feet:

With regard to said parcels, Section 4 of Ordinance No. 2014-99 is further amended to provide that said parcels shall be acquired by the acceptance of permanent easements and shall not be dedicated as additional right-of-way.

<u>Address</u>	<u>Property Owner</u>	<u>Original Value</u>	<u>Revised Value</u>
46 Fleming 120	Rose M. Turtu	\$ 150	\$ 250
48 Fleming 120	Suzanne Armstrong	150	250
50 Fleming 120	David Snook	150	250
54 Fleming 180	Rockbridge Properties LLC	1,050	630
76 Fleming 120	Michael Paliani	150	250
80 Fleming 150	Jason R. Pastore	200	300
Total		\$1,850	\$1,930

Section 2. Section 4 of Ordinance No. 2014-99 is further amended to increase the total acquisition cost of parcels as follows:

The cost of said acquisitions and closing costs, which shall not exceed ~~\$18,400~~ \$19,400 shall be funded by \$18,400 from 2011-12 Cash Capital funds and by \$1,000 from the 2013-14 Cash Capital allocation of the Department of Environmental Services.

The properties' values changed from \$1,850 to \$1,930, and another \$920 was added for additional closing costs and condemnation fees. The total additional cost of \$1,000 will be funded from 2013-14 Cash Capital allocation of the Department of Environmental Services. The value of 54 Fleming Street was reduced as the City is undertaking the necessary masonry repairs to the owners' property rather than the property owner.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-348
Re: Intermunicipal Agreement - Monroe County Stormwater Coalition

Council Priority: Creating and Sustaining a Culture of Vibrancy

Respectfully submitted,
Lovely A. Warren
Mayor

Transmitted herewith for your approval is legislation related to the City's participation in the Monroe County Stormwater Coalition. This legislation

will authorize the Mayor to enter into an intermunicipal agreement between Monroe County and the Monroe County Stormwater Coalition members (which include the City of Rochester). This agreement allows the Monroe County Stormwater Coalition members to work together collaboratively to:

1. Reduce stormwater pollution and improve water quality;
2. Facilitate the use of existing or future resources, organizations and programs for the provision of services to reduce stormwater pollution, to protect water quality and to restore natural hydrology while enhancing efficiency;
3. Share resources, including staff time, equipment, supplies, technology and services; and
4. Facilitate Coalition members' compliance with the New York State Municipal Separate Storm Sewer System general permit requirements.

The Division of Environmental Quality represents the City of Rochester on the Monroe Stormwater Coalition and works collaboratively with the Bureau of Engineering and Architecture in the Department of Environmental Services and the Bureau of Planning and Zoning in the Department of Neighborhood and Business Development to implement stormwater pollution prevention in the city. This is an annual agreement.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-348
(Int. No. 372)

Authorizing an intermunicipal agreement for the Monroe County Stormwater Coalition

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement for participation in the Monroe County Stormwater Coalition.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-349
Re: Agreements - Architectural Services
Term Agreement

Council Priority: Creating and

Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to architectural services:

Company
Address

- Architectura, P.C.
Carnegie Place, 247 North Goodman St.
Rochester, NY 14607
- Clark Patterson Lee
205 Saint Paul St.
Rochester, NY 14604
- Konopka Architecture, P.C.
1501 East Avenue, Suite 1
Rochester, NY 14610
- RAM Architects
91 Pinnacle Road
Rochester, NY 14620
- SWBR Architects and Engineers, P.C.
387 East Main Street
Rochester, NY 14604

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary, the departments using the services or from capital funds appropriated for specific projects. Similar agreements for architectural services have been in place since 2005. These services include: architectural investigations of existing facilities as requested by the City, preparing contract documents for contracted maintenance work and providing inspection of that work during construction, and reviewing designs for specific construction projects.

Architectura, P.C., Clark Patterson Lee, Konopka Architecture, P.C., RAM Architects and SWBR Architects, were selected for architectural services through a request for proposal process, which is described in the attached summary.

These agreements will provide for architectural services to be provided at specified unit prices. The selection of the company will be based on project specific proposals, type of services required, and the ability to perform the services within the time specified by the City.

The agreements will be for a term of three years.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-211

Ordinance No. 2014-349
(Int. No. 384)

Authorizing agreements for architectural services for City facilities

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

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for architectural services required for facilities renovation projects as required by the City:

- Company
- Architectura P.C.
- Konopka Architecture, P.C.
- RAM Architects
- Clark Patterson Lee
- SWBR Architects and Engineers, P.C.

Section 2. The agreements shall extend for a term of three years, and shall obligate the City to pay an amount not to exceed the amount budgeted for each project, which shall be funded from the annual Budget of the Department of Environmental Services, or other Departments using these services, or from capital project appropriations. Unit prices may be adjusted at the discretion of the City Engineer upon satisfactory justification by the consultant.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-350
Re: Amendatory Agreement -
Broad Street Bridge Preventive
Maintenance Project

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

Transmitted herewith for your approval is legislation related to the Broad Street Bridge Preventive Maintenance Project (formerly entitled: The Erie Canal Aqueduct Redevelopment Project). This legislation will:

1. Authorize the Mayor to enter into agreements with New York State Department of Transportation (NYSDOT) necessary to participate in, administer and fund the local share of the project;
2. Authorize the receipt and use of \$248,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) which will be used to finance the federal portion of the design services and project administration; and
3. Authorize the Mayor to enter into an amendatory agreement with T.Y. Lin International in the amount of \$300,000.

The original agreement with T.Y. Lin International (formerly FRA Engineering and Architecture, P.C.)

was authorized after a request for proposal process in the amount of \$1,142,000 (Ord. No. 2008-56). This amendment will increase maximum compensation by \$300,000 to a total of \$1,442,000. The amendment to the agreement will be financed with \$238,000 from the anticipated reimbursements from the FHWA and \$62,000 from Prior Years' Cash Capital allocations of the Department of Environmental Services. The remaining \$10,000 from the anticipated reimbursement from the FHWA will be used to offset in-house project administration services.

The original agreement was to develop the master plan and provide market analysis, both of which will be used to guide the preliminary and final design of the Broad Street Bridge Preventive Maintenance Project. T.Y. Lin International developed a comprehensive inventory and analysis of the Broad Street corridor (from the Rundel Library to West Main Street). The Master Plan incorporated land use projections, developers' recommendations, professional analysis, community input, parking plans, traffic analysis, historic interpretation, and potential mixed-use in-fill as part of its conceptual design.

Recent bridge inspections, however, indicate that specific bridge-elements have reached a point of deterioration where preventative maintenance activities are warranted to prolong the life of the structure. Included in the project are the following work activities: full removal and replacement of the asphaltic wearing surface, partial and localized deck repairs, removal and replacement of curbs and sidewalks, substructure repairs, expansion joint replacements, and streetscape improvements.

The estimated project cost is \$3,900,000.

The original agreement provided for the following services:

- Development of a community based master plan
- Traffic Analysis, modeling and identification of mitigating measures
- Environmental investigations
- Assessment of corridor strengths, opportunities, and constraints
- Investigation and evaluation of alternative concepts
- Place-making opportunities
- Advocate workshops, visioning workshops, and design charettes
- Historic interpretation, preservation standards and mitigation strategies
- Economic evaluation and market analysis

The amendatory agreement will fund:

- Preliminary and final design
- Structural evaluations
- Additional traffic analysis (lane reduction, parking, bike lanes)
- Streetscape improvements
- Heritage Trail amenities
- Final cost estimates
- Development of special specifications
- Bid and award phase tasks
- Construction phase design services

Design services will begin this fall. It is anticipated that construction will begin in spring 2016 with a scheduled completion in late fall 2016. The project amendment will result in the creation/retention of the equivalent of 3.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-212

Ordinance No. 2014-350
(Int. No. 387)

Authorizing agreements and appropriating funds for the Broad Street Bridge Preventive Maintenance Project

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

Section 1. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation and to sign such other documents as may be necessary for the City to participate in and administer the Broad Street Bridge Preventive Maintenance Project (the Project) and to fund the local share.

Section 2. The Council hereby authorizes the receipt and use of \$248,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) which will be used to finance the federal portion of the design services and project administration for the Project, and said amount is hereby appropriated for that purpose.

Section 3. The Mayor is hereby authorized to enter into an amendatory agreement with T.Y. Lin International (formerly known as FRA Engineering and Architecture PC) in the maximum amount of \$300,000 for engineering, design, traffic analysis and structural evaluation services for the Project. Said amendatory agreement shall increase the maximum amount of the agreement authorized by Ordinance No. 2008-56 by \$300,000 to a total of \$1,442,000. The cost of said amendatory agreement shall be funded by \$ 238,000 in anticipated reimbursements from the Federal Highway Admin-

istration appropriated herein, and by \$62,000 from the prior years Cash Capital allocation of the Department of Environmental Services.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 373
Re: Official Map Amendment - Renaming
Mortimer Street to RTS Way

Transmitted herewith for your approval is legislation amending the Official Map by renaming Mortimer Street, between St. Paul Street and North Clinton Avenue, to RTS Way.

Rochester-Genesee Regional Transportation Authority has filed an application to rename Mortimer Street to further define the opening of their adjacent new transit center.

The City Code requires consent from 75% of the abutting property owners when renaming streets is requested. Consent forms were obtained from 75% of the abutting property owners.

The City Planning Commission, in its October 6, 2014, meeting recommended approval of this renaming by a vote of 5-0. Minutes of that meeting, and the application, are attached.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the proposal is a Type II Action requiring no further environmental review.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 373

AMENDING THE OFFICIAL MAP BY RENAMING MORTIMER STREET BETWEEN ST. PAUL STREET AND NORTH CLINTON AVENUE AS RTS WAY

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by renaming Mortimer Street between St. Paul Street and North Clinton Avenue as RTS Way.

Section 2. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember McFadden
November 12, 2014

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 374 - Authorizing an extension of the agreement for the Workforce Investment Board

Int. No. 375 - Authorizing a license agreement with Action for a Better Community, Inc.

Int. No. 376 - Authorizing an agreement for the Child Passenger Safety Grant and amending the 2014-15 Budget

Int. No. 377 - Authorizing an agreement with Monroe County for the Tobacco Compliance Grant Program and amending the 2014-15 Budget

Int. No. 378 - Authorizing agreements for the STOP DWI Program and amending the 2014-15 Budget

Int. No. 379 - Amending the 2014-15 Budget and appropriating forfeiture funds and authorizing an agreement

Int. No. 380 - Authorizing an intermunicipal agreement to provide photo lab services

Int. No. 381 - Authorizing an agreement with the Rochester Institute of Technology, Center for Safety Initiatives ~~Monroe County~~ for the Project Safe Neighborhoods Grant and amending the 2014-15 Budget as amended

Int. No. 382 - Authorizing agreements for the Comprehensive Adolescent Pregnancy Prevention Program

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaul
Dana K. Miller (Abstained on Int. No. 375)
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-351
Re: Intermunicipal Agreement - Monroe
County, Workforce Investment Board

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation authorizing an agreement with the County of

Monroe for the continuation of the Monroe County/Rochester Workforce Investment Board (WIB). This agreement will have a term of five years. The current agreement, approved via Ordinance No. 2009-337, expires December 31, 2014.

The WIB is the governing body of the local workforce investment area created by New York State as one of the provisions of the federal Workforce Investment Act of 1998. The local WIB and workforce system operates under guidelines established by the New York State Department of Labor. The WIB has been in operation since 2000, at which time agreements for various programs were approved by City Council (Ord. Nos. 2000-190 and 2000-191).

The primary responsibilities of the WIB, which is administered locally by RochesterWorks, include:

- Oversee the investment of federal and state funding for local workforce development
- Develop a strategic plan to be submitted to the Governor of New York for approval
- Designate the one-stop operator(s)
- Certify eligible providers of training for youth and adults and intensive services
- Negotiate local performance measures
- Establish performance goals
- Evaluate and improve performance

The majority of the members of the WIB must be business representatives. The remaining members include education, labor, community organizations, and economic development agency representatives. In addition, the Mayor and the County Executive serve as ex officio members. A list of current members is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-213

Ordinance No. 2014-351
(Int. No. 374)

Authorizing an extension of the agreement for the Workforce Investment 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 extension of five years of the intermunicipal agreement with the County of Monroe for the operation of the Monroe County/Rochester Workforce Investment Board.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-352
Re: License Agreement - Action for a Better Community

Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing a license agreement with Action for a Better Community, Inc. (ABC), Rochester, New York, to utilize 6,100 square feet at the David Gantt Community Center to operate an early childhood development center.

ABC has utilized this space since 1973, with the most recent Council approval occurring in March 2004 via Ordinance No. 2004-72. The term of this license agreement will be for one year, beginning upon execution, and shall be renewable for four additional one-year terms.

In the first year, the fee for the use of this space, including utilities, will be \$6.00 per square foot, for an annual total of \$36,600 to be received by the City. This rate was determined by an analysis of similar space in the area provided by the City's Real Estate Division. This amount may be adjusted by the City in future years, as determined by the Real Estate Division. ABC will continue to provide all custodial and cleaning services. The City will provide heating, plumbing and electrical repairs as well as maintain the structural integrity of the community center.

ABC currently has 77 children enrolled at the center.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-352
(Int. No. 375)

Authorizing a license agreement with Action for a Better Community, Inc.

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Action for a Better Community, Inc. for the license of space at the David Gantt Community Center. The license agreement shall obligate Action for a Better Community, Inc. to pay annual rent of \$36,600, and to provide custodial and cleaning services. The City shall be responsible for utilities and for repairs to heating, plumbing and electrical systems and building structure.

Section 2. The agreement shall have a term of one year, with four optional one-year renewals. If the parties agree to renew the agreement in future years, the amount of the rent may be increased by the City.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, McFadden, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Miller abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-353
Re: Governor's Traffic Safety Committee, 2015 Child Passenger Safety Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the receipt and use of \$3,300 from the New York State Governor's Traffic Safety Committee's Child Passenger Safety grant, and amending the 2014-15 Budget of the Police Department by this amount.

The Governor's Traffic Safety Committee provides this funding to allow the Police Department to run child safety seat inspections in the city during the period of October 1, 2014 through September 30, 2015. The goal of this award is to increase the proper use and installation of child safety seats in New York State. Funding will be used primarily to purchase child car seats (\$2,500) to be donated to city residents who may need them. The remaining funds will be used for certification of those teaching about and distributing safety seats, and for supplies to be used at community-based seat-checking events.

This is the third year the Police Department has received this grant. Last year, 22 car seats were inspected and thirteen new seats were given to residents. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-353
(Int. No. 376)

Authorizing an agreement for the Child Passenger Safety Grant and amending the 2014-15 Budget

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

Ordinance No. 2014-354
(Int. No. 377)

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Governor's Traffic Safety Committee for receipt and use of \$3,300 in funds for a Child Passenger Safety Grant.

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

Section 3. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$3,300 which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-354
Re: Agreement - Monroe County,
Tobacco Compliance Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the Monroe County Department of Public Health for the receipt and use of up to \$40,000 for a Tobacco Compliance grant, and amending the 2014-15 Budget of the Police Department by this amount to reflect the grant. No matching funds are required.

The Department of Public Health will reimburse costs of up to \$40,000 in overtime and fringe benefits for compliance checks conducted starting April 1, 2014 through March 31, 2015. This agreement will continue the enforcement program begun in April 1998, under which the Police Department conducts inspections of licensed tobacco outlets in the city. These inspections track compliance with the age restrictions on tobacco sales by using underage "agents" who attempt to buy tobacco products. Police officers accompanying the purchasers will record and report any illegal underage sales, and will inspect the sellers' premises for compliance with restrictions on product placement, as well as possession of proper documents and certificates.

This enforcement program was most recently approved in August 2013 (Ord. No. 2013-303). During 2013-14, 479 compliance checks were completed.

Respectfully submitted,
Lovely A. Warren
Mayor

Authorizing an agreement with Monroe County for the Tobacco Compliance Grant Program and amending the 2014-15 Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe for receipt and use of \$40,000 of funding for the Tobacco Compliance Grant Program.

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

Section 3. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$40,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-355
Re: Agreement - Monroe County,
STOP DWI Grants

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing agreements with Monroe County for the receipt and use of a total of \$188,000 in New York State funding under two grant programs, and amending the 2014-15 Budget of the Police Department by this amount.

2015 STOP DWI Program January 1 - December 31, 2015

The STOP DWI grant provides \$157,400 to the City for enhanced detection and enforcement of driving while intoxicated and related offenses for the 2015 calendar year. Supported activities include expenses for STOP DWI overtime details, fringe expenses, supplies, equipment, training, breathalyzer calibration, and underage alcohol enforcement. Under the previous grant, through September 2014, Rochester Police arrested 641 individuals for DWI and identified 800 persons with aggravated unlicensed operation of a vehicle.

2014-15 STOP DWI Foundation Crackdown Grant October 1, 2014 - September 30, 2015

The STOP DWI Crackdown grant, in an amount not to exceed \$30,600, is administered by the New York State Stop DWI Foundation and the Monroe County STOP DWI Program and will be used for

eight STOP DWI crackdown details during the term of the grant. The funds will be used for overtime for police officers and, as necessary, up to \$1,500 for police experts to detect drug abuse in drivers. The 2014 grant (Ord. No. 2013-386), in the amount of \$26,260, funded six crackdown details and resulted in 106 arrests.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-355
(Int. No. 378)

Authorizing agreements for the STOP DWI Program and amending the 2014-15 Budget

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

Section 1. The Mayor is hereby authorized to enter into agreements with the County of Monroe for receipt and use of funding for the 2015 STOP DWI Program in the amount of \$157,400 and the 2014-15 STOP DWI Foundation Crackdown Grant Program in the amount of \$30,600.

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

Section 3. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$188,000, which amount is hereby appropriated from funds to be received under the grant agreements authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-356
Re: Appropriation - Federal Forfeiture
Funds for Community Programs

Council Priority: Public Safety

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

1. Appropriate \$25,000 in RPD federal forfeiture funds to support community programs by RPD and various organizations, and amend the 2014-15 Budget of the Police Department to reflect this amount.
2. Establish maximum compensation of \$15,000 for an agreement with Crime Stoppers. This organization allows anonymous crime tips

and provides rewards for tips that result in arrests. It also publishes the *Fugitive Flyer* to assist local law enforcement in arresting known career criminals. The cost of this agreement will be funded from the 2014-15 Budget of the Police Department.

RPD will use up to \$4,000 of the funds appropriated herein to support the Police Explorers program by purchasing uniforms for the members.

The remaining \$6,000 of the amount appropriated herein will be distributed throughout the year to other organizations in accordance with federal requirements and with the knowledge and support of City Council. This appropriation will result in a balance of approximately \$464,000 in the fund.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-356
(Int. No. 379)

Amending the 2014-15 Budget and appropriating forfeiture funds and authorizing an agreement

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

Section 1. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, is hereby amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$25,000, which amount is hereby appropriated from funds received from the Federal Government from seized and forfeited assets, to fund programs by the Rochester Police Department and to fund programs by community organizations.

Section 2. The Mayor is hereby authorized to enter into an agreement with Rochester Area Crime Stoppers Inc. for an amount not to exceed \$15,000, for use of a portion of these funds for eligible activities in accordance with Federal forfeiture guidelines. The cost of this agreement shall be funded from the amounts appropriated herein. In addition to the contract authorized herein, the Mayor is hereby authorized to enter into agreements for other programs in accordance with Federal requirements to be funded from the amounts appropriated herein. The Police Department shall notify the Council of said agreements.

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

Section 4. This ordinance shall take effect immediately.

Passed by following vote:

Ayes - President Scott, Councilmember Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Conklin abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-357
Re: Agreement - Monroe County,
Police Photo Processing

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an intermunicipal agreement with Monroe County and the Monroe County Sheriff's Office (MCSO) for the receipt and use of funding for photo lab services provided to the MCSO.

The City will provide photo processing services, upon request, for MCSO and will invoice the County for these services. MCSO utilizes the lab only when they need prints for court or other essential purposes. The County will pay the City up to \$2,000 annually for these services.

The previous agreement, authorized via Ordinance No. 2010-134, expires on December 31, 2014.

The term of this agreement is January 1, 2015 through December 31, 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-357
(Int. No. 380)

Authorizing an intermunicipal agreement to provide photo lab services

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe whereby the City will provide photo lab services to the Monroe County Sheriff's Office at the current unit pricing fee for the period from January 1, 2015 through December 31, 2019. The maximum amount to be paid by the County of Monroe shall be \$2,000 per year.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-358
Re: Agreement - Rochester Institute of

Technology, Center for Public Safety
Initiatives, Project Safe Neighborhoods
Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with Rochester Institute of Technology (RIT), Center for Public Safety Initiatives for the receipt and use of a \$20,000 Project Safe Neighborhoods grant to plan and implement strategies to intervene in dispute-related conflicts which have a high likelihood of resulting in gun or gang violence, and amending the 2014-15 Budget of the Department of Recreation and Youth Services to reflect the grant.

The RIT Center for Public Safety Initiatives applied for the Project Safe Neighborhoods grant from the U.S. Department of Justice, Bureau of Justice Assistance, and included the City as a designated sub-awardee. The current award is for the period of October 1, 2014 to September 30, 2015, with an anticipated one-year renewal. Grant funds will provide overtime pay for City personnel to participate in certain dispute-reduction strategies.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-358
(Int. No. 381, As Amended)

Authorizing an agreement with the Rochester Institute of Technology, Center for Public Safety Initiatives Monroe County for the Project Safe Neighborhoods Grant and amending the 2014-15 Budget

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Institute of Technology, Center for Public Safety Initiatives for the receipt and use of a \$20,000 Project Safe Neighborhoods Grant to plan and implement strategies to intervene in dispute-related conflicts which have a high likelihood of resulting in gun or gang violence. The agreement shall have a term of one year with an optional one year renewal.

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

Section 3. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Recreation and Youth Services by the sum of \$20,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-359
Re: Agreements - Comprehensive Adolescent
Pregnancy Prevention Grant

Transmitted herewith for your approval is legislation related to the Comprehensive Adolescent Pregnancy Prevention (CAPP) Grant. This legislation will:

1. Authorize an agreement with the New York State Department of Health for the receipt and use of a \$546,036 grant for the program; and
2. Establish maximum compensation, to be funded from the Teenage Pregnancy Prevention Special Revenue Fund, for agreements with the following organizations to provide related services:

Highland Family Planning	\$ 46,470
Baden Street Settlement	63,542
YWCA of Rochester and Monroe County	50,559
Society for the Protection and Care of Children	54,461
Crestwood Children's Center	<u>12,574</u>
Total	\$227,606

At the start of this five-year grant, these agencies were selected through an initial request for proposal process to provide services for the entire period. This will be the fifth and final year.

A portion of the balance of the grant, \$146,100, was included in the 2014-15 Budget of the Department of Recreation and Youth Services to cover personnel costs (one part-time and three full-time employees) and \$60,300 was included in the 2014-15 Budget of Undistributed Expenses to cover their fringe benefits. The remaining \$112,030 will be accounted for in the City's Teenage Pregnancy Prevention Special Revenue Fund to cover non-personnel expenses such as educational supplies, printing, office supplies, and indirect expenses.

The program was approved by the New York State Department of Health for a five year term: January 1, 2011 to December 31, 2015. The grant was last authorized via Ordinance No. 2013-389. The goal of this program is to significantly reduce the rate of pregnancy among teenagers in targeted areas. The primary goals of the program are to:

- Implement evidence-based curricula in the Rochester City School District
- Reduce adolescent pregnancy rates in the City of Rochester
- Improve high school graduation rates in the City of Rochester

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-214

Ordinance No. 2014-359
(Int. No. 382)

Authorizing agreements for the Comprehensive Adolescent Pregnancy Prevention Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Health for the receipt and use of \$546,036 in funding for the operation of the 2015 Comprehensive Adolescent Pregnancy Prevention Program.

Section 2. The Mayor is hereby authorized to enter into agreements with the following organizations in amounts not to exceed the following, for services under the Comprehensive Adolescent Pregnancy Prevention Program:

<u>Organization</u>	<u>Amount</u>
Highland Hospital of Rochester	\$ 46,470
Baden Street Settlement, Inc.	63,542
YWCA of Rochester and Monroe County	50,559
Society for the Protection and Care of Children	54,461
Crestwood Children's Center	<u>12,574</u>
Total	\$227,606

In the event that all funds for a specific agreement are not expended, the Mayor is authorized to enter into amendatory agreements with the above organizations to use the unexpended funds.

Section 3. The agreements shall obligate the City to pay an amount not to exceed \$227,606, and said amount, or so much thereof as may be necessary, is hereby appropriated from the funds to be received from the New York State Department of Health under the grant agreement authorized herein. Grant funds in the amount of \$112,030 are hereby appropriated to the Teenage Pregnancy Special Revenue Fund to pay for non-personnel and indirect expenses relating to the Program.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The agreements shall have a term of one year.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember McFadden moved to discharge Int. No. 351 from Committee.

The motion was seconded by Councilmember Haag.

Adopted unanimously.

Councilmember McFadden moved to amend Int. No. 351.

The motion was seconded by Councilmember Conklin.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Local Law No. 6
Re: Extension - Red Light Camera Program

Council Priority: Public Safety

Transmitted herewith for your approval is a local law amending the City Charter to extend the City's existing Red Light Camera Program through December 1, 2019. In 2009, State legislation was passed authorizing the City of Rochester to establish a five-year demonstration program imposing monetary liability on vehicle owners for an operator's failure to comply with traffic-control indications within Rochester. The legislation also authorized the City to install and operate traffic-control signal photo violation-monitoring devices at no more than fifty intersections within the City.

The State Legislature recently passed legislation to extend this program for five more years. This local law will allow the City to continue utilizing this program until December 1, 2019.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-215

Local Law No. 6
(Int. No. 351, As Amended)

Amending Local Law 13-2009 with respect to owner liability for the failure of a motor vehicle operator to comply with traffic-control indications

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

Section 1. Local Law 13-2009 is hereby amended to read 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 amending subsection F to Section 6-6, Parking Violations Bureau, to read in its entirety as follows:

F(1) The City hereby establishes a demonstration program in accordance with the provisions of § 1111-b of the New York State Vehicle and Traffic Law, imposing monetary liability on the owner of a motor vehicle for failure of an operator thereof to comply with

traffic-control indications in the City. Such demonstration program shall allow for the installation and operation of traffic-control signal photo violation-monitoring devices at no more than fifty intersections within the City at any one time.

(2) Adjudication of the liability imposed upon motor vehicle owners by this section shall be by the Parking Violations Bureau.

(3) A motor vehicle owner liable for a violation pursuant to this program shall be liable for monetary penalties in accordance with a schedule of fines and penalties to be promulgated by the Parking Violations Bureau. The liability of the owner pursuant to this program shall not exceed fifty dollars for each violation; provided, however, that an additional penalty not to exceed twenty-five dollars for each violation shall be added for the failure of the owner to respond to a notice of liability within thirty days from mailing of a notice of liability.

(4) A motor vehicle owner shall not be held liable for a violation pursuant to this demonstration program if the violation is based upon the vehicle having stopped at a traffic control signaled intersection at a point beyond the line marking the beginning of the intersection. This paragraph shall not be applicable if the violation is required to be issued pursuant to New York State law.

Section 2. This local law shall take effect immediately and shall expire on December 1, ~~2014,2019.~~

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmember Conklin, Haag, Miller, Ortiz, Palumbo - 6.

Nays - Councilmember McFadden, Patterson, Spaul - 3.

By Councilmember Spaul
November 12, 2014

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 383 - Authorizing an amendatory agreement for special event production services and amending the Budget

Respectfully submitted,
Elaine M. Spaul
Adam C. McFadden
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed and published.

Lovely A. Warren
Mayor

TO THE COUNCIL
Ladies and Gentlemen:

Attachment No. AN-215

Ordinance No. 2014-360
Re: Amendatory Agreement -
Northeastern Production
Systems, Inc., Special Event
Production Services

Ordinance No. 2014-360
(Int. No. 383)

**Authorizing an amendatory agreement for
special event production services and amending
the Budget**

Council Priority: Creating and
Sustaining a Culture of Vibrancy

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

Transmitted herewith for your approval is legisla-
tion related to special event production services.
This legislation will:

1. Establish \$25,000 as maximum compensation for an amendatory agreement with Northeastern Production Systems, Inc. (Principal, Raymond DiBiase), Rochester, New York, to provide additional funding for sound, lighting, staging, and power production services at special events through June 2015.
2. Appropriate \$25,000 from the Rochester Events Network Trust Fund to fund the amendatory agreement and amend the 2014-15 Budget of the Communications Bureau by this amount.

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement to increase the compensation to be paid for the first year of a professional services agreement between the City and Northeastern Production Systems, Inc. for sound, lighting staging and power production services for special events. The amendment shall increase the maximum amount of the agreement by \$25,000, to a total of \$131,200. Of said increased amount, \$25,000 shall be funded from the Rochester Events Network Trust Fund. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, is hereby amended by increasing the revenue estimates and appropriations to the Bureau of Communications by the sum of \$25,000, which amount is hereby appropriated for this purpose. The agreement shall extend for one year, with an option for three one year renewals. For the second year, the agreement shall not exceed \$109,300, which shall be funded from the 2015-16 Budget of the Bureau of Communications. For the third year, the agreement shall not exceed \$112,400, which shall be funded from the 2016-17 Budget of the Bureau of Communications. For the fourth year, the agreement shall not exceed \$116,600 which shall be funded from the 2017-18 Budget of the Bureau of Communications. All funding shall be contingent upon adoption of the necessary budgets.

The original agreement with Northeastern Production Systems, Inc. was authorized in May 2014 (Ord. No. 2014-154); the \$25,000 amendment will increase total compensation to \$131,200. The additional funds will be used for production services for holiday events and up to three Party in the Park events. There is a shortfall this year due to additional programming of the 2014 Summer ROC the Park, three-concert Urban Music Festival and unanticipated support for a July gospel event at the Rochester Public Market. Northeastern's production needs were not anticipated at the time the original agreement was authorized.

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

Compensation for the original agreement will be funded from the annual budgets of the Bureau of Communications, contingent upon Council approval, as follows:

Section 3. This ordinance shall take effect immediately.

Year	Original Amount	Amended Amount
2014-15	\$106,200	\$131,200
2015-16	109,300	109,300
2016-17	112,400	112,400
2017-18	116,600	116,600
Total	\$444,500	\$469,500

Passed unanimously.

The meeting was adjourned at 8:24 p.m.

HAZEL L. WASHINGTON
City Clerk

REGULAR MEETING
DECEMBER 16, 2014

Special events and concerts produced by the City typically require the provision of various sound, lighting, and staging services. In some cases, they also require generators for power and distribution of such power. Under this proposed agreement, Northeastern will be able to provide the needed services for special events and concerts planned through the remainder of the fiscal year.

Present - President Scott, Councilmembers Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 8

Respectfully submitted,

Absent - Councilmember Conklin - 1.

The Council President requested the Council to rise for a Moment of Silence.

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

Recognition Ceremony

Retirement:

- Finance Department
- *Arthur L. St. Hilaire
- Information Technology
- *Jean M. Cody
- Fire Department
- *Charles J. Steiner
- *Did not attend meeting.

APPROVAL OF THE MINUTES
By Councilmember Ortiz

RESOLVED, that the minutes of the Regular Meeting of November 12, 2014 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

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

The following communications are hereby directed to be received and filed:

- The Mayor submits the following:
 - Administrative Cancellation or Refund of Erroneous Taxes and Charges 4164-14
 - Public Disclosure - CDBG Participation 4165-14

The Council submits Disclosure of Interest Forms from Councilmember Haag on Int. Nos. 401, 405 and URA-7, and Vice President Miller on Int. No. 403.

PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

None presented.

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

Changing the zoning classification of 151 Bernice Street from R-1 Low Density Residential District to C-3 Regional Center District Int. No. 404 No speakers.

Approving a lease by the Rochester Urban Renewal Agency to 50 Chestnut Ventures, LLC of property at 52 Broadway in the Midtown Urban Renewal District Int. No. 405 No. speakers.

Resolution approving a lease by the Rochester Urban Renewal Agency to 50 Chestnut Ventures, LLC of property at 52 Broadway in the Midtown Urban Renewal District and designating 50 Chestnut Ventures, LLC as eligible to lease said property Int. No. URA-7 No speakers.

Changing the Zoning Map classification of parcels on Scio Street, North Union Street, East Main Street, Lyndhurst Street, Weld Street, Woodward Street, Ontario Street, Lewis Street, Augusta Street and Davis Street from O-S Open Space, R-2 Medium Density Residential, C-2 Community Center, CCD-M Center City District Main Street and M-1 Industrial to Marketview Heights Urban Renewal District ("District") to apply additional Urban Renewal District requirements while maintaining the zoning regulations previously applicable to the respective O-S, R-2, C-2, CCD-M and M-1 portions of said District Int. No. 418 No speakers.

INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

By President Scott

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-361
Re: Owner-Occupant Roofing Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Owner-Occupant Repair Program. This legislation will:

1. Appropriate \$60,500 from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-15 Community Development Block Grant;
2. Appropriate \$1,900,000 from the Cash Capital allocations of the Department of Neighborhood and Business Development as follows:

Fund Year	Amount
2014-15	\$1,000,000
2013-14	600,000
2012-13	300,000
Total	\$1,900,000

3. Establish \$40,500 as maximum compensation for an agreement with Action for a Better Community (ABC) to provide customer service for the program to be funded from the above appropriation made in section 1;
4. Authorize \$15,000 for the City's use to market the program to be funded from the above appropriation made in section 1;
5. Establish \$5,000 as maximum compensation for an agreement with the Center for Dispute Settlement (CDS) to provide arbitration services for the program to be funded from the above appropriation made in section 1;
6. Authorize \$1,800,000 for the City's use to operate the program to be funded from the

above appropriation made in section 2; and

- 7. Authorize \$100,000 for the City’s use to establish a warranty fund for the program to be funded from the above appropriation made in section 2.

The Owner-Occupant Roofing Program is a housing rehabilitation initiative designed to assist eligible homeowners with roof replacements. A total of \$1,800,000 will be made available city-wide to assist approximately 150 homeowners. Eligible owners will receive financial assistance for roof replacements averaging \$12,000. To be eligible for the program, homeowners must: maintain the property as their principal place of residency and maintain ownership; have household incomes at or below 50% of the area median income; be current with City property taxes or have a tax agreement in place; and have not received assistance through a City housing program in the past seven years. Homeowners must sign an agreement with the City that requires a residency period of three years and will be required to provide a financial contribution based on the following income scale:

<u>% of Area Median Income</u>	<u>Contribution</u>
0-30	\$50
31-50	\$250

The Owner-Occupant Roofing Program will be administered through two separate time-phased events. The first phase of the program will follow a quadrant-based participation model. In this phase, applicants will be required to submit their application to their Neighborhood Service Center (NSC), where the drawing will take place to select applicants from each quadrant of the city. 30% of the awards will be for eligible seniors aged 65 years and older, and 20% will be for eligible recipients younger than 65 years old. The allocation of grants to be made available for each quadrant will be based on the following data chart below:

<u>Quadrant</u>	<u>Total Owner-Occupants</u>		<u><50%AMI</u>
	<u>% of Quad.</u>	<u>Grants Available</u>	
NE	32%	24	2,723
NW	25%	18	3,077
SE	17%	13	2,837
SW	26%	20	2,284
Total	100%	75	10,921

The second phase of the program will be based on a city-wide participation model whereby applicants will be selected through a general drawing and each homeowner has an equal chance of being selected.

Key Dates:

- Marketing for phase 1 will commence on February 1, 2015, with a drawing expected to

occur at a place to be determined on March 15, 2015. A total of 75 applications will be drawn.

- Marketing for phase 2 will commence on May 1, 2015, with a drawing expected to occur at each NSC on June 15, 2015. A total of 75 applications will be drawn.

For both phases of the program, the following process will be undertaken:

Marketing/Pre-Application Process

The program will be marketed city-wide for both phases, utilizing conventional forms of media including: print advertisements in community newsletters; television and radio advertisements; internet; flyers; brochures; posters; public announcements; etc., to raise community awareness over a 30-day period. It is expected that the cost of the media campaign will be \$15,000 (\$7,500 for each phase).

The marketing materials will invite applicants to visit their local NSC to apply to the program. Applicants will be asked to complete a pre-application and will be made aware that a public drawing will take place to select applications. The date, time and place of the public drawing will appear on the pre-application. Qualified applications will be remitted to a drop-box. Applicants will receive a copy of their application with a time-date stamp.

The pre-application will ask the applicant to verify the following:

- Applicant must be an owner-occupant and maintain the property as their principal place of residency;
- Household income cannot exceed 50% of the area median income;
- City property taxes must be paid up-to-date and/or be current with a tax agreement; and
- Must not have received a housing grant in the past seven years.

1. Public Drawing

After the 30-day marketing period has expired, the public drawing will take place to select applications. A total of 75 applications will be drawn. Each applicant will be recorded for the public record. The record will identify the name, address and telephone number of each applicant and be recorded in the order they are drawn. An additional 30 applications will be drawn to be held in reserve, in the event that a property owner is unable to proceed with the program (to be recorded as described above). All selected applicants will be notified by mail. Instructions will be included to inform the applicant about next steps, and will include a City contact and phone number to address questions.

2. Application Processing

Applications will be forwarded to ABC, which will manage the application intake process on behalf of the City. Cost estimates were obtained through a limited request for proposal (RFP) from NeighborWorks Rochester and ABC, the two organizations that have provided these services over the past five years for multiple housing programs. ABC submitted the lowest bid proposal. The last RFP for these services was completed in 2013 for the City's Emergency Assistance Repair Program whereby ABC was selected for services. ABC will provide assistance to property owners to complete the application and will be available to meet applicants at their respective NSC office. Completed applications will be forwarded to the City for approval.

3. Construction

Individual project work specifications will be completed by City staff. Projects will be awarded to term contractors on a rotating basis. A total of three term contracts will be in place by March 1, 2015. The roofing contractors will be required to supply a one-year labor warranty and the manufacturer will provide a 25-30 year warranty on the shingles. To safeguard against issues arising after the labor warranty expires, a warranty fund will be established for the program in the amount of \$100,000. These funds will be made available for the City's administration to correct problems that arise well after assistance has been provided to homeowners. The City will make every effort to ensure quality workmanship and will demand that contractors correct post-construction deficiencies. However, sometimes years after work is completed, a problem arises that is out of the control of the contractor. The warranty fund will be used to assist with these cases. The warranty fund will also be available to assist with emergency cases (such as a roof collapse) that emerge after enrollment for the program is complete.

CDS will provide arbitration services for the program to settle disputes that may arise between the contractor and homeowner.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-217

Ordinance No. 2014-361
(Int. No. 434)

Appropriating funds and authorizing agreements for the Owner-Occupant Roofing Program

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

Section 1. The amount of \$60,500 is hereby appropriated from the Housing Repair Programs allocation of the Housing Development Fund of the

2014-15 Community Development Block Grant to fund the Owner-Occupant Roofing Program. Of said amount, a maximum of \$15,000 shall be utilized by the Department of Neighborhood and Business Development to fund marketing of the Program

Section 2. The Mayor is hereby authorized to enter into an agreement not to exceed \$40,500 with Action for a Better Community, Inc. to provide customer services and application processing for the Owner-Occupant Roofing Program, to be funded from the amounts appropriated in Section 1 herein.

Section 3. The Mayor is hereby authorized to enter into an agreement not to exceed \$5,000 with the Center for Dispute Settlement, Inc. to provide arbitration services for the Owner-Occupant Roofing Program, to be funded from the amounts appropriated in Section 1 herein.

Section 4. The amount of \$1,900,000 is hereby allocated from the Cash Capital Allocation of the Department of Neighborhood and Business Development to fund the Owner-Occupant Roofing Program. Such amount shall be funded by re-allocating funds from the Cash Capital allocation of the Department of Neighborhood and Business Development for demolition, to the Cash Capital allocation of the Department of Neighborhood and Business Development for the Owner-Occupant Roofing Program as follows; \$300,000 from 2012-13 Cash Capital; \$600,000 from 2013-14 Cash Capital; \$1,000,000 from 2014-15 Cash Capital.

Section 5. The Department of Neighborhood and Business Development is hereby authorized to implement the Owner-Occupant Roofing Program and to expend funds from the amounts allocated in Section 4 herein up to a maximum of \$1,900,000. Of said amount, \$100,000 shall be established as a warranty fund, and may be utilized to pay warranty claims on such terms and conditions as may be established by the Program guidelines. Funds shall be made available to eligible applicants through a lottery drawing system. Fifty percent of the funds shall be distributed through a citywide lottery. The remaining fifty percent of funds shall be allocated on a quadrant basis pursuant to an allocation formula based on the number of eligible owner-occupants in each quadrant, and within each quadrant funds shall be distributed through a lottery drawing system, and of said funds thirty percent shall be distributed to eligible applicants who are 65 years of age or older.

Section 6. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Owner-Occupant Roofing Program.

Section 7. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. For any agreement with an organization, the City shall only enter into agreements with organizations that are in compliance with Federal regulations. The agreements shall extend for one year, with an option to extend for an additional year if funds remain in the original

appropriation.

Section 8. This ordinance shall take effect immediately.

Passed unanimously.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Palumbo
December 16, 2014

To the Council:

The Finance Committee recommends for adoption the following entitled legislation:

Int. No. 390 - Resolution approving appointments to the Board of Assessment Review

Int. No. 391 - Resolution establishing the maximum number of Commissioners of Deeds

Int. No. 392 - Authorizing cancellation of taxes and charges

Int. No. 394 - Authorizing professional services agreements for business process and project management services

Int. No. 395 - Authorizing a professional services agreement for support and enhancement of the City's website

Int. No. 396 - Establishing maximum compensation for a professional services agreement for occupational personality testing

Int. No. 397 - Authorizing an intermunicipal agreement with Monroe County and the Monroe County Sheriff for the confinement of unarraigned prisoners and amending the Budget

Int. No. 421 - Continuing Ordinance No. 2013-118 by extending the pilot program for food trucks

Int. No. 429 - Authorizing an agreement for the donation and installation of shade structures for public use at Corn Hill Landing

Int. No. 430 - Authorizing an amendatory professional services agreement for legal services

Int. No. 431 - Authorizing an amendatory professional services agreement for State lobbying services

The following entitled legislation is being held in Committee:

Int. No. 393 - Authorizing the execution and delivery of specified documents in conjunction with the 2015 phase of the Rochester Joint Schools Construction Board Facilities Modernization Program

Int. No. 428 - Resolution approving the 2014-15 debt limit for the City School District

Int. No. 428A - Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$16,025,000 bonds of said City to finance the cost of construction and renovation of various public school buildings within the City

Respectfully submitted,
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-40
Re: Appointment - Board of Assessment Review

Council Priority: Rebuilding and Strengthening Neighborhood Housing and Deficit Reduction and Long-Term Financial Stability

Transmitted herewith for your approval is legislation to approve the appointments of the following individuals to the Board of Assessment Review:

Temporary Panel Members (1-year term)

Carmen Diamond 342 Birr Street
Rochester, NY 14613

LaShay Harris 323 Aldine Street
Rochester, NY 14619

Carlos Mercado 12 Vick Park A
Rochester, NY 14607

Gerard Roberts 32 Berkeley Street
Rochester, NY 14607

Susan Sanford 76 Bond Street
Rochester, NY 14620

Résumés of the above appointees are on file with the City Clerk and all have maintained a perfect attendance record while serving on the City's 2014 Board of Assessment Review.

Respectfully submitted,
Loretta C. Scott
President

Resolution No. 2014-40
(Int. No. 390)

Resolution approving appointments to the Board of Assessment Review

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

Section 1. The Council hereby approves the appointment of the following persons to serve as temporary members of the Board of Assessment Review for 2015 for a term that shall expire Sep-

tember 30, 2015:

Taxes and Charges

Temporary Panel Members

- Carmen Diamond 342 Birr Street
Rochester, NY 14613
- LaShay Harris 323 Aldine Street
Rochester, NY 14619
- Carlos Mercado 12 Vick Park A
Rochester, NY 14607
- Gerard Roberts 32 Berkeley Street
Rochester, NY 14607
- Susan Sanford 76 Bond Street
Rochester, NY 14620

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-41
Re: Commissioners of Deeds

Transmitted herewith for your approval is legislation related to the issuance of Commissioners of Deeds. The proposed legislation establishes the number of Commissioners of Deeds at no more than 250 per year during calendar years 2015 and 2016. Since Fiscal Year 2004-05, not more than 175 have been issued per year, so the 250 annual maximum is expected to be sufficient to meet demand.

Respectfully submitted,
Loretta C. Scott
Council President

Attachment No. AN-218

Resolution No. 2014-41
(Int. No. 391)

Resolution establishing the maximum number of Commissioners of Deeds

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

Section 1. During calendar years 2015 and 2016, there shall be appointed no more than 250 Commissioners of Deeds annually.

Section 2. This resolution shall take effect on January 1, 2015.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-362
Re: Cancellation or Refund of Erroneous

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$10,407.35.

The property located at 80 Stunz Street is a single-family dwelling. The owner had been fined on two separate occasions for the same code violation. The first was on May 31, 2013 and the second was on October 10, 2013. The owner had a hearing on October 23, 2013 for the May ticket which should have also been for the October 10th ticket. As a result the ticket defaulted to \$1,200. The owner had corrected the violations prior to the hearing.

The property located at 42 Peckham Street is a two-family dwelling. The prior owner had been fined for code violations and the charges were added to the 2014-15 tax bill just prior to the sale on May 21, 2014. The new owner has abated all of the violations. A referral has been made to Municipal Code Violations Bureau to reinstate the fines as a judgment against the former owner.

The property located at 665-673 Portland Avenue is a two-family dwelling that was purchased by the present owner on June 25, 2014. The prior owner had been billed on October 8, 2013 for the removal of trash and debris. Since the purchase, the new owner has brought the building into compliance and has obtained a Certificate of Occupancy. No referral has been made to the Municipal Code Violations Bureau as only fines, not bills for service-related charges, go to judgment.

The properties located at 27 Chapin Street and 31 Clairmount Street were transferred to the Rochester Land Bank Corporation on August 7, 2014 via donation by American Tax Funding Servicing LLC, and the shared services agreement authorized by City Council pursuant to Ordinance No. 2014-38 provides for cancellation of taxes by the City. The agreement states: "All City Real Property Taxes arising after the acquisition of real property by the Land Bank shall be paid by the City, without contribution from the Land Bank or shall be cancelled by the City Council."

If these cancellations are approved, total cancellations thus far for 2014-15 will be as follows:

	<u>Accounts</u>	<u>Amounts</u>
City Council	69	\$138,195.16
Administrative	171	95,711.89
Total	240	\$233,907.05

These cancellations represent 0.09% of the tax receivables as of July 1, 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-219

Ordinance No. 2014-362
(Int. No. 392)

Authorizing cancellation of taxes and charges

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

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

(A) The property located at 80 Stunz Street is a single family dwelling. The owner had been fined on two separate occasions for the same code violation. The first was on May 31, 2013 and the second was on October 10, 2013. The owner had a hearing on October 23, 2013 for the May ticket which should have also been for the October 10th ticket. As a result the ticket defaulted to \$1,200. The owner had corrected the violations prior to the hearing.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Cancelled</u>	<u>Subtotal</u>
107.45-3-36.1	H	80 Stunz Street	2015	\$1,200	\$1,200

(B) The property located at 42 Peckham Street is a two-family dwelling. The prior owner had been fined for code violations and the charges were added to the 2014-15 tax bill just prior to the sale on 5/21/2014. The new owner has abated all of the violations. A referral has been made to Municipal Codes Violations Bureau to reinstate the fines as a judgment against the former owner.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Cancelled</u>	<u>Subtotal</u>
91.64-2-51	H	42 Peckham Street	2015	\$3,000	\$3,000

(C) The property located at 665-673 Portland Avenue is a two-family dwelling that was purchased by the present owner on June 25, 2014. The prior owner had been fined on October 8, 2013 for the removal of trash and debris. Since the purchase, the new owner has brought the building into compliance and has obtained a Certificate of Occupancy.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Cancelled</u>	<u>Subtotal</u>
106.26-2-8.1	H	665-673 Portland Avenue	2015	\$2,183.56	\$2,183.56

(D) The properties located at 27 Chapin Street and 31 Clairmount Street were transferred to the Rochester Land Bank Corporation and the shared services agreement authorized by City Council pursuant to Ordinance 2014-38 provides for cancellation of taxes by the City. The agreement states: All City Real Property Taxes arising after the acquisition of real property by the Land Bank shall be paid by the City, without contribution from the Land Bank or shall be cancelled by the City Council.

<u>S.B.L. #</u>	<u>Class</u>	<u>Address</u>	<u>Tax Year</u>	<u>Cancelled</u>	<u>Subtotal</u>
91.76-1-51	H	27 Chapin Street	2015	\$2,704.25	\$2,704.25
106.36-1-4	H	31 Clairmount Street	2015	\$1,319.54	\$1,319.54

Grand Total \$10,407.35

Section 2. If full or partial payment of the aforesaid taxes and charges has been made and received, the City Treasurer is hereby authorized and directed to remit to the owner of the parcel the amount of said payment without interest.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-363
Re: Agreements - Business Process and
Project Management Services

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services related to process improvement work and project management:

<u>Company</u>	<u>Address</u>
Avani Technology Solutions, Inc.	Greece, New York 14626
consilium1	Rochester, New York 14620
Trigyn Technologies, Inc.	Edison, New Jersey 08817

The agreements will be financed from the annual budgets of the Department of Information Technology and, if necessary, the departments using the services or from Capital funds appropriated for specific projects. These services may include: process requirements for enterprise system deployments such as payroll/personnel, docu-

ment management, financial upgrades, and electronic payment processing.

The vendors mentioned above were selected for enterprise process and systems services through a request for proposal process, which is described in the attached summary.

These agreements will provide services at specified unit prices. The selection of the company will be based on project specific proposals, type of service required, and the ability to perform the services within the time specified by the City.

The agreements will be for a term of three years.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-220

Ordinance No. 2014-363
(Int. No. 394)

Authorizing professional services agreements for business process and project management services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and Avani Technology Solutions, Inc. and a professional services agreement between the City and consilium1, LLC and a professional services agreement between the City and Trigyn Technologies, Inc. for business process and project management services. The agreements shall obligate the City to pay specified unit prices and shall not exceed the maximum total amount budgeted for said purposes in the Budget of the Department of Information technology. Said amounts shall be funded from the 2014-15 Budget of the Information Technology Department, and from future budgets contingent upon adoption. The term of each agreement shall be for three years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-364
Re: Agreement - Fuseideas, Support and Enhancements

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum compensation for an agreement with Fuseideas, Winchester, Massachusetts, for support and enhancements to the

City of Rochester's website. The cost of this agreement will be funded as follows: \$60,000 from Prior Years' Cash Capital, \$20,000 from the 2014-15 Budget of the Information Technology Department, and \$20,000 from the 2015-16 Budget of the Information Technology Department, contingent upon approval. The term of the agreement is two years.

Fuseideas will redevelop the City's website, namely the homepage and corresponding templates, and provide general support for the website and content management system.

The consultant was selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-221

Ordinance No. 2014-364
(Int. No. 395)

Authorizing a professional services agreement for support and enhancement of the City's website

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 between the City and Fuseideas, LLC for support and enhancement of the City's website. The agreement shall obligate the City to pay an amount not to exceed \$100,000. Said amount shall be funded by \$60,000 of prior years' Cash Capital, \$20,000 from the 2014-15 Budget of the Information Technology Department, and \$20,000 from the 2015-16 Budget of the Information Technology Department contingent upon adoption. The term of the agreement shall be for two years.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-365
Re: Agreement - CEB, SHL Talent Measurement Solutions, Occupational Personality Testing Services

Transmitted herewith for your approval is legislation establishing \$19,990 as maximum compensation for a two-year agreement with CEB, SHL Talent Measurement Solutions, Alpharetta, Georgia, for administration of an occupational personali-

ty test for entry-level positions at the 911 Call Center. The agreement will be funded from the Budgets of the Department of Human Resource Management as follows: 2014-15 (\$4,997.50); 2015-16 (\$9,995.00), and 2016-17 (\$4,997.50), contingent upon approval of future budgets. This two-year agreement will be in effect from January 1, 2015 to December 31, 2016, and has the option for two one-year renewals.

CEB, SHL Talent Measurement Solutions has provided the City with an occupational personality test which has been administered in conjunction with the Civil Service Examination for the two entry-level positions at the 911 Call Center, 911 Dispatcher and 911 Telecommunicator, since 1993. CEB, SHL Talent Measurement Solutions discontinued their support of the paper and pencil testing process and associated scoring services on December 31, 2013 and moved to a completely on-line testing and scoring process. This switch required the City to enter into a new contract with CEB, SHL Talent Measurement Solutions, which prompted the City to release a request for proposal (RFP) to qualified vendors for an occupational personality test.

CEB, SHL Talent Measurement Solutions was selected through an RFP process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-222

Ordinance No. 2014-365
(Int. No. 396)

Establishing maximum compensation for a professional services agreement for occupational personality testing

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

Section 1. The sum of \$19,990, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and CEB, SHL Talent Measurement Solutions for administration of occupational personality testing for a term of two years with two optional one-year renewals. Said amount shall be funded by \$4,997.50 from the 2014-15, \$9,995 from the 2015-16 and \$4,997.50 from the 2016-17 Budget of the Department of Human Resource Management, contingent upon the adoption of subsequent budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-366
Re: Intermunicipal Agreement and Budget
Amendment - Monroe County and Monroe
County Sheriff, Unarraigned Prisoners

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an intermunicipal agreement with Monroe County and the Monroe County Sheriff for the confinement of unarraigned prisoners.

Persons arrested by officers of the Rochester Police Department are confined in the Monroe County Jail while awaiting arraignment or an initial court appearance. This agreement establishes the responsibilities of each party, and the amounts to be paid by the City to the County for a term of five years and six months ending on June 30, 2019. An intermunicipal agreement for this purpose is authorized by Section 500-a of the Correction Law.

The agreement obligates the City to pay \$500,000 for the period of January 1, 2014 through June 30, 2014. The agreement shall further obligate the City to pay the rate of \$109.92 per unarraigned prisoner for the period of July 1, 2014 through June 30, 2019. During the period of July 1, 2014 through June 30, 2019 the City shall pay an amount not less than \$1,000,000 for these services in each City fiscal year.

The cost of the agreement will be funded from the 2014-15 Budget of the Police Department, and from future years' Budgets of the Police Department, contingent upon adoption. This legislation also amends the 2014-15 Budget by transferring \$200,000 from Contingency to the Police Department to help cover anticipated costs in 2014-15.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-366
(Int. No. 397)

Authorizing an intermunicipal agreement with Monroe County and the Monroe County Sheriff for the confinement of unarraigned prisoners and amending the Budget

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with Monroe County and the Monroe County Sheriff for the confinement of unarraigned prisoners.

Section 2. The agreement shall obligate the City to pay \$500,000 for the period of January 1, 2014 through June 30, 2014. The agreement shall further obligate the City to pay the rate of \$109.92 per unarraigned prisoner for the period of July 1, 2014 through June 30, 2019. During the period of July 1,

2014 through June 30, 2019 the City shall pay an amount not less than \$1,000,000 for these services in each City fiscal year. The agreement shall have a term of January 1, 2014 through June 30, 2019. The cost of this agreement shall be funded by \$500,000 from the 2013-14 Budget of the Police Department; and from the 2014-15 Budget of the Police Department and future years' budgets, contingent upon the adoption thereof.

Section 3. Ordinance No. 2014-160, the 2014-15 Budget is hereby amended by transferring \$200,000 from Contingency to the Budget of the Police Department and by increasing the revenue estimates and appropriations of the Police department by that amount.

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

Section 5. This ordinance shall take effect immediately

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-367
Re: Code Amendment - Truck Vending Pilot Program

Transmitted herewith for your approval is an ordinance extending the pilot program for food trucks in certain areas of the City, which was originally authorized in 2013 by Ordinance 2013-118. The Ordinance as amended was to expire on December 31, 2014. To allow time for a full review of this program, this legislation extends that period to February 28, 2015.

Sincerely,
Loretta C. Scott Carolee A. Conklin
President Chair, Finance Committee

Ordinance No. 2014-367
(Int. No. 421)

Continuing Ordinance No. 2013-118 by extending the pilot program for food trucks

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

Section 1. Ordinance No. 2013-118, amending Chapter 62 of the Municipal Code, Commercial Travelers, Solicitors and Special Promotional Events, to provide for a pilot program regulating food trucks in certain areas of the City, as amended by Ordinances Nos. 2013-399, 2014-53 and 2014-75, which is scheduled to expire on December 31, 2014, is hereby continued until February 28, 2015

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL:
Ladies and Gentlemen:

Ordinance No. 2014-368
Re: Corn Hill Landing Public Access Easement Improvements

Transmitted herewith for your approval is legislation relating to the Public Use and Access Easement granted by Corn Hill Landing, LLC (an entity controlled by Mark IV Enterprises) to the City in 2006, recorded in the Monroe County Clerk's Office in Liber 10280 of Deeds at page 432.

Corn Hill Neighborhood Association wishes to design, fabricate and donate shade structures and other amenities at its own expense to the City for installation on the terrace portion of the Public Use and Access Easement, near the amphitheatre at the southern end of the Corn Hill Landing site at 300 Exchange Boulevard. Corn Hill Landing, LLC, which owns the 6.17 acre site at 300 Exchange Boulevard, must consent to the installation of these improvements. All of the improvements to the public terrace will be open for use by the public. The design of the improvements, their structural, electrical and other features, will be approved by DES before installation. The improvements will be donated to the City. The City may remove the installations at the City's discretion. Corn Hill Neighborhood Association will maintain the improvements.

This legislation will authorize an agreement between Corn Hill Landing, LLC, the City, and Corn Hill Neighborhood Association ("CHNA") for the donation and installation of these shade structures and other public amenities for public use on the terrace portion of the Public Use and Access Easement.

The indemnity provisions in the Public Use and Access Easement will continue, and as the improvements will be donated to the City, the three-party agreement will not obligate Corn Hill Neighborhood Association to assume any liability for the improvements once they are approved by the City and installed.

Respectfully submitted,
Carolee A. Conklin Adam C. McFadden
Chair Councilmember
Finance Committee South District

Ordinance No. 2014-368
(Int. No. 429)

Authorizing an agreement for the donation and installation of shade structures for public use at Corn Hill Landing

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

Section 1. The Mayor is hereby authorized to enter into an agreement with Corn Hill Neighborhood Association (CHNA) and Corn Hill Landing, LLC for the installation of shade structures and other amenities for public use in the area at Corn

Hill Landing which is covered by a Public Use and Access Easement granted by Corn Hill Landing, LLC to the City in 2006, which is recorded in the Monroe County Clerk's Office in Liber 10280 of Deeds at page 432.

Section 2. The agreement shall provide that the CHNA shall, at its own expense, design, acquire and install shade structures and other amenities in the public use area. The location and design of the structures to be installed shall be subject to approval by the City and Corn Hill Landing, LLC. After installation, the CHNA shall continue to maintain the structures at its expense for a period of 5 years. Once installed, the structures shall become the property of the City and may be removed or relocated at the discretion of the City.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-369
Re: Amendatory Agreement - Cohen
Law Group, Time Warner Cable,
Inc./Comcast Corporation Franchise
Agreement Renewal

Council Priority: Deficit Reduction and
Long-Term Financial Stability

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Cohen Law Group, Pittsburgh, Pennsylvania, for legal services in connection with the City's cable franchise agreement with Time Warner Cable, Inc. and anticipated negotiations with Comcast Corporation, as the two companies are working toward merging under Comcast. The amendment shall increase maximum compensation for the Cohen Law Group by \$55,000 to a total of \$65,000. The agreement will have a term of two years and will be funded by \$10,000 from the 2014-15 Budget of the Law Department and \$55,000 from the 2014-15 Budget for Undistributed Expenses.

The City has asserted for several years that Time Warner has underpaid the franchise fee that is owed to us under our franchise agreement. As a result of negotiations between the parties, we reached an agreement with Time Warner to settle this dispute over franchise fees. The settlement agreement required Time Warner to pay the City the amount of \$1,300,000 to settle past claims. That money has now been received and deposited by the City. The assistance of the Cohen Law Group, as a specialized consultant, was very helpful to that effort.

Because of the unique and complex nature of the franchise fee dispute, the Law Department retained the services of the Cohen Law Group to assist us in

negotiations with Time Warner and Comcast. That contract was initially authorized for \$10,000. However, due to the extensive process that was required to achieve the successful settlement, including legal research, drafting documents and conferences, we have determined that the final cost will exceed \$10,000. In addition, we need the expertise of the Cohen Law Group to assist us in the next phase of this project, which requires the negotiation of a new franchise agreement with the Comcast Corporation after it merges with Time Warner. This will also require an assessment of community needs. The Cohen Law Group was selected through a request for qualifications process on the basis of cost, special expertise in representing municipalities, and absence of conflicts of interest. A summary of the process is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-223

Ordinance No. 2014-369
(Int. No. 430)

Authorizing an amendatory professional services agreement for legal services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and the Cohen Law Group for legal representation of the City with regard to cable television franchise issues. The amendment shall increase the maximum compensation by \$55,000 to a total of \$65,000. Said amount shall be funded from the 2014-15 Budget for Undistributed Expenses. The agreement shall have a term of two years.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-370
Re: Amendatory Agreement - Capitol Hill
Management Services, Inc., State
Lobbying Services

Council Priority: Deficit Reduction and Long-Term Financial Stability

Transmitted herewith for your approval is legislation establishing \$98,500 as maximum compensation for an amendatory agreement with Capitol Hill Management Services, Inc. (CHMS) to research, track, and advocate for the City's legislative and administrative agenda with New York State. The original agreement of \$65,000 for maximum annual compensation was authorized by Council in April

2014 (Ord. No. 2014-72). The proposed agreement increases the annual amount for calendar year 2015 by \$33,500, to be funded as follows: \$49,250 from the 2014-15 Budget of the Office of the Mayor and \$49,250 from the 2015-16 Budget of the Office of the Mayor, contingent upon approval. The term of the amendatory agreement will be one year, with the option to renew for two additional, one-year terms; any renewals will be funded from the 2015-16, 2016-17 and 2017-18 Budgets of the Office of the Mayor, contingent upon approval.

This year was a benchmark year for the City's relationship with CHMS. Essentially, the City sought to assess this new firm's ability to be an effective state policy advocate. Furthermore, before renewing this service contract, the City wanted to evaluate the outcomes of their 2014 advocacy. Now, having the benefit of review, the City is confident in recommending a one-time increase in compensation for their work. CHMS was selected through a request for proposal process earlier this year; the description of which was submitted with Ordinance No. 2014-72.

The proposed \$33,500 increase for CHMS is \$15,500 below what was paid to the previous state lobbying firm of Bolton-St. Johns, LLC (Ord. No. 2011-138).

During their first eight months under contract, CHMS played an important role in helping the City secure additional state funding as well as providing counsel on a number of subjects. Notable accomplishments include:

- Identifying and securing an additional \$6M in unrestricted Aid to Municipalities (AIM) funding;
- Advocating and securing \$4.2M in state funding for the Inner Loop East redevelopment project;
- Technical writing assistance with testimony to the Joint-Hearing on Local Government;
- Advocacy of Administration and City Council priorities for phase two school modernization legislation;
- Research and assistance regarding state parole policies, resulting in a meeting with the Commissioner of the New York State Department of Corrections and Community Supervision, the Administration and City Council.

Looking forward, the City has heightened expectations for its state advocacy. In the next legislative session, the City will aggressively pursue a further increase in unrestricted AIM funding. Additionally, capital assistance for abandoned and nuisance properties, neighborhood streets and hazardous sidewalks, and city-wide single-stream recycling will be pursued. Building upon past success, the City will also work with CHMS to advocate for certain environmental policies and continued investment in local contaminated neighborhood sites.

As the Governor enters his second-term, the City has requested more rigorous CHMS engagement with the Executive Chamber, including identification of transformational investment and special attention to the Regional Economic Development Council process.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-370
(Int. No. 431)

Authorizing an amendatory professional services agreement for State lobbying services

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

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Capitol Hill Management Services, Inc. for the provision of State lobbying services. The amendment shall increase the maximum annual compensation for 2015 and any renewal period by \$33,500 to a total of \$98,500. Funding in 2015 shall be by \$49,250 from the 2014-15 Budget of the Mayor's Office and \$49,250 from the 2015-16 Budget of the Mayor's Office. The optional renewals in 2016 and 2017 will be funded from the Budget of the Office of the Mayor for 2015-16, 2016-17 and 2017-18, contingent on the adoption of said budgets.

Section 2. The term of the amendatory agreement shall be for an initial term of one year from January 1, 2015 through December 31, 2015, with two optional one year renewals.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 393 from Committee

The motion was seconded by Councilmember Spaul

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-371
Re: County of Monroe Industrial
Development Agency Bonding -
Rochester City School District
Facilities Modernization Program

Council Priority: Support the Creation of
Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing a lease and leaseback with the County of Monroe Industrial Development Agency (COMIDA) for certain school parcels and build-

ings, and other approvals necessary for the issuance of bonds (the "Series 2015 Bonds") by COMIDA in an amount not to exceed \$55,000,000. The purpose of the "Series 2015 Bonds" is to finance certain costs related to Phase 1A, Phase 1B and Phase 1C of the School District Facilities Modernization Program (FMP).

The FMP is directed by the Rochester Joint Schools Construction Board (RJSCB) which was created by Chapter 416 of the Laws of 2007 of the State of New York for the design, reconstruction, or rehabilitation of school buildings (collectively, the "Phase I Projects"). The legislation provided for a maximum cost of up to \$325 million.

In June 2012, COMIDA issued the "Series 2012 Bonds" for the FMP in the amount of \$124,100,000. That amount was used to finance the design and related costs of Phase 1A of the FMP, which included the design and reconstruction work at five schools (Franklin High School, Enrico Fermi School No. 17, Helen Barrett Montgomery School No. 50, Charlotte High School and World of Inquiry School No. 58) and a district-wide technology program (the "Series 2012 Project").

In June 2013, COMIDA issued the "Series 2013 Bonds" for the FMP in the amount of \$103,055,000. That amount was used to finance the costs related to Phase 1B of the FMP, which included the general reconstruction of facilities at five schools (John Williams School No. 5, Edison Campus, Henry Hudson School No. 28, East High School and Jefferson High School) and the district-wide technology program (the "Series 2013 Project").

The "Series 2015 Bonds" will finance the costs related to Phase 1C of the FMP which includes the general reconstruction of facilities at two existing schools (James B. Duffy School No. 12 and Monroe High School) and the district-wide technology program (the "Series 2015 Project"). Work will include site work, exterior and interior building improvements, and additional mechanical and electrical upgrades. The proceeds may also be used to finance other costs of the Phase 1A and Phase 1B Projects.

This legislation is contingent upon receipt of a resolution from the Rochester City School District (the "District") Board of Education that includes:

1. Authorization of the COMIDA bonds, and
2. Approval of the COMIDA lease/leaseback arrangement for the Phase 1C Projects.

All costs related to the COMIDA bonds, including interest and repayment of the bonds, will be the responsibility of the District pursuant to the Agreement between the City, the District and the RJSCB for the FMP.

Respectfully submitted,
 Lovely A. Warren
 Mayor

Attachment No. AN-224

Ordinance No. 2014-371
 (Int. No. 393)

Authorizing the execution and delivery of specified documents in conjunction with the 2015 phase of the Rochester Joint Schools Construction Board Facilities Modernization Program

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City") has cooperated with the Rochester City School District (the "School District") and the Rochester Joint Schools Construction Board (the "RJSCB") in furtherance of the School District's Facilities Modernization Program.

Section 2. The RJSCB was created by the "Rochester School Facilities Modernization Program Act" (Chapter 416 of the Laws of 2007) (the "Act"). Pursuant to the Act, the RJSCB is authorized to manage the design, reconstruction, or rehabilitation of existing school buildings for their continued use as schools of the School District (the "Facilities Modernization Program" or "Program"), and to create, coordinate efforts to enable compliance with, and monitor and report on, a program-wide diversity plan for the Program. The RJSCB, the School District and the City have entered into a Cooperative Agreement dated as of February 22, 2010 (the "Cooperative Agreement") in order to clarify the agency arrangement and delegation of authority among the School District, the City and the RJSCB, as well as their respective obligations and expectations to achieve the objectives of the Act.

Section 3. On June 20, 2012 the County of Monroe Industrial Development Agency ("COMIDA") issued its \$124,100,000 School Facility Revenue Bonds (Rochester Schools Modernization Project), Series 2012 (the "Series 2012 Bonds") the proceeds of which were applied to development and other costs incurred in connection with Phase 1A of the Program, the rehabilitation of twelve (12) existing School District schools, as well as a district wide technology program (collectively, the "Series 2012 Project").

Section 4. In June 2013, COMIDA issued the "Series 2013 Bonds" for the Program in the amount of \$103,055,000. That amount was used to finance the costs related to Phase 1B of the Program, which included the general reconstruction of facilities at five of the schools (John Williams School No. 5, Edison Campus, Henry Hudson School No. 28, East High School and Jefferson High School) and the district-wide technology program.

Section 5. The RJSCB now proposes to request that COMIDA issue the Series 2015 Bonds in an amount not to exceed \$55,000,000 to finance the costs related to Phase 1C of the Program which includes the general reconstruction of facilities at

two existing schools: James B. Duffy School No. 12 and Monroe High School and of the district-wide technology program. Work will include site work, exterior and interior building improvements, and additional mechanical and electrical upgrades (the "Series 2015 Project"). The proceeds may also be used to finance other costs of the Phase 1A and Phase 1B Projects.

Section 6. The Mayor or the Mayor's designee is hereby authorized and directed to enter into an Amended and Restated Ground Lease, the Amended and Restated Sublease Agreement referred to above, an Amended and Restated State Trust Agreement and all other ancillary documents necessary and appropriate to effect issuance of the Series 2015 Bonds, all in form and substance to be approved by the City's Corporation Counsel.

Section 7. The Director of Finance and Corporation Counsel are hereby authorized and instructed to comply and evidence compliance with all requirements of the Rochester Schools Act necessary and appropriate to ensure that the Series 2015 Bonds are issued in accordance with the New York Local Finance Law and the Rochester Schools Act and that the interest payable on the Series 2015 Bonds is the lowest possible rate obtainable under current market conditions.

Section 8. This ordinance shall be contingent, as evidenced by the written advice of Corporation Counsel, upon approval of the bonding and the Amended and Restated Ground Lease and the Amended and Restated Sublease by the School District and RJSCB.

Section 9. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2014-42 and
Ordinance No. 2014-372
Re: Capital Improvement Program -
Rochester City School District

Council Priority: Support the Creation of
Effective Educational Systems

Transmitted herewith for your approval is legislation related to the Capital Improvement Program of the Rochester City School District (District). This legislation will:

1. Establish \$16,025,000 as the maximum amount of debt to be authorized for the 2014-15 fiscal year for the District; and
2. Authorize the issuance of bonds for \$16,025,000 and the appropriation of the proceeds thereof for capital improvements to existing school buildings in the District.

By City Council Policy, borrowing in any fiscal year may not exceed the principal on outstanding

debt redeemed for that year. During fiscal year 2014-15, the District will liquidate \$16,025,000 in principal. A projection of the District debt to be repaid over the current and next four fiscal years is provided in attachment A.

For cities with dependent school districts, the New York State Constitutional Debt Limit is established at 9.0% of the five-year average full valuation. As specified in the City Charter, Rochester splits this limit into 5.5% for the City and 3.5% for the District. This split provides the District with a remaining borrowing capacity of \$26,610,324, as shown in attachment B.

A letter from the District detailing the planned uses of the new bonds and a copy of the Board of Education Resolution No. 2014-15: 312, approving the capital plan at its November 20, 2014 meeting, are included as attachment C.

The City is awaiting the confirmation letter from the New York State Education Department that the City has met the Maintenance of Effort requirement for 2014-15. This proposed legislation is contingent upon receipt of the confirmation letter. When the City issues this debt, the repayments will be structured to the extent possible to continue meeting the MOE requirements, while remaining within the constraints of Local Finance Law.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-225

Councilmember Palumbo moved to discharge Int. No. 428 from Committee

The motion was seconded by Councilmember Haag

Adopted unanimously.

Resolution No. 2014-42
(Int. No. 428)

Resolution Approving the 2014-15 Debt limit for the City School District

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

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

Section 1. 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 for City School District purposes in fiscal year 2014-15 to \$16,025,000, which is less than the amount of debt to be redeemed in fiscal year 2014-15.

BE IT FURTHER RESOLVED, that for all bonds authorized for the City School District, the following language shall be inserted into the bond ordinance:

The proceeds of these bonds shall be appropriated to pay the cost of such purpose on the condition subsequent that State aid paid to the City or the City School District with respect to such bonds applied solely to meet debt service on such bonds shall not invalidate any obligations issued pursuant to this ordinance or any appropriation of proceeds of such bonds made pursuant to this ordinance.

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 to insure continued awareness of and 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 bonds authorized herein shall not be issued until the City has received a written communication from the New York State Education Department confirming that this action will not affect the "city amount" required as its fiscal effort pursuant to subdivision 5-b of Section 2576 of the Education Law, in a form acceptable to the Director of Finance.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

Councilmember Palumbo moved to discharge Int. No. 428A from Committee

The motion was seconded by Councilmember Spaul

Adopted unanimously.

Ordinance No. 2014-372
(Int. No. 428A)

Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$16,025,000 bonds of said City to finance the cost of construction and renovation of various public school buildings within the City

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance certain costs of construction and renovation of various public school buildings within the City in accordance with a list on file with the Director of Finance. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$16,025,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$16,025,000 bonds of the City, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$16,025,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$16,025,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The existing buildings are of Class "A" construction as defined by Section 11.00 a.11(a) of the Local Finance Law, and the period of probable usefulness of said specific objects or purposes for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00 a.12(a)(1) of the Law, is twenty (20) years. A specific list of all such costs of construction and renovation is on file with the City in the Office of the Director of Finance.

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

ture in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

Section 8. The proceeds of these bonds shall be appropriated to pay the cost of such purpose on the condition subsequent that State aid paid to the City or the City School District with respect to such bonds applied solely to meet debt service on such bonds shall not invalidate any obligations issued pursuant to this ordinance or any appropriation of proceeds of such bonds made pursuant to this ordinance.

Section 9. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

By Councilmember Palumbo
December 16, 2014

To the Council:

The Neighborhood & Business Development Committee recommends for adoption the following entitled legislation:

Int. No. 398 - Authorizing the sale of real estate

Int. No. 399 - Authorizing a lease agreement with Voyager Boat Sales, Inc.

Int. No. 400 - Authorizing a professional services agreement with Sector 4 Community Development Corporation, to assist the City in completing a Brownfield Opportunity Area (BOA) Nomination Study

Int. No. 401 - Authorizing amendatory agreements for the Rochester Walks Program

Int. No. 402 - Amending Ordinance No. 2014-175 and authorizing an amendatory agreement for the Emergency Solutions Grant

Int. No. 403 - Authorizing the acceptance of real estate by donation

Int. No. 415 - Authorizing agreements for the Asset Control Area/Home Rochester Program

Int. No. 417 - Approving the Urban Renewal Plan for the Marketview Heights Urban Renewal District

Int. No. 420 - Authorizing the sale of a parcel of land to Edgewater Resources LLC at the Port of Rochester, and a purchase option for an additional parcel as amended

Int. No. 432 - Amending Ordinance No. 2012-246 regarding a property tax exemption and authorizing an amendatory in lieu of tax agreement for the Harris Park Apartments Project

Int. No. 433 - Authorizing an amendatory loan agreement for the Harris Park Apartments Project

The Neighborhood & Business Development Committee recommends for consideration the following entitled legislation:

Int. No. 404 - Changing the zoning classification of 151 Bernice Street from R-1 Low Density Residential District to C-3 Regional Center District

Int. No. 405 - Approving a lease by the Rochester Urban Renewal Agency to 50 Chestnut Ventures, LLC of property at 52 Broadway in the Midtown Urban Renewal District

Int. No. 418 - Changing the Zoning Map classification of parcels on Scio Street, North Union Street, East Main Street, Lyndhurst Street, Weld Street, Woodward Street, Ontario Street, Lewis Street, Augusta Street and Davis Street from O-S Open Space, R-2 Medium Density Residential, C-2 Community Center, CCD-M Center City District Main Street and M-1 Industrial to Marketview Heights Urban Renewal District ("District") to apply additional Urban Renewal District requirements while maintaining the zoning regulations

previously applicable to the respective O-S, R-2, C-2, CCD-M and M-1 portions of said District

The following entitled legislation is being held in Committee:

Int. No. 419 - Amending the Comprehensive Plan by adopting the new Center City Master Plan

Respectfully submitted,
Carla M. Palumbo
Michael A. Patterson
Dana K. Miller (Abstained on Int. No. 403)
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-373
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

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

The first property is a vacant lot sold by negotiated sale to the adjacent owners, who will combine this lot with their existing property.

The next six properties are unbuildable vacant lots being sold for \$1.00 (as per City policy) to the adjacent owners who will combine the lot with their existing properties.

The first year projected tax revenue for these seven properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,590.

All City taxes and other charges, except water charges, against properties being sold by the City will be canceled on the first day of the month following adoption of the ordinance because either the City has agreed to convey the properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-226

Ordinance No. 2014-373
(Int. No. 398)

Authorizing the sale of real estate

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the negotiated sale of the following parcel of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
124 Henrietta St	121.74-2-29	44x137	5,118	\$475	Stephen & Jeffrey Schlegel

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
16 Fien St	106.38-3-32	35x86	2,996	Eugene Ragland
42 Herald St	091.81-3-52	34x132	4,488	Quality Vision Int'l, Inc.*

50 Home Pl	120.25-2-27	35x89	3,101	Julio Morales
297 Reynolds St	120.76-1-27	38x42	1,596	Emma Metcalf-Johnson
83 Roth St	106.29-2-7.1	69x95	6,639	Robert Singletary
22 Stout St	107.62-2-69	51x50	2,800	Jessica Tapper

*Corporate Officers: Edward T. Polidor, President & CEO, David E. Francati, Senior Vice President and CFO, Keith E. Polidor, Vice President and Chief Information Officer

Section 3. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-374
Re: Lease - Voyager Boat Sales, Inc.,
1015 Thomas Avenue

Transmitted herewith for your approval is legislation authorizing a one-year lease agreement, with two one-year renewal options, between the City and Voyager Boat Sales, Inc. for the continued use of the premises located at 1015 Thomas Avenue. Voyager has leased this area from the City for more than thirty years.

The current lease expires on December 31, 2014. The new lease will commence on January 1, 2015 and expire on December 31, 2015, with two one-year options for renewal. The monthly rental amount will be \$2,650, as established through an independent appraisal by Robert G. Pogel, SRPA, on October 29, 2014. The previous monthly rental amount was \$2,575.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-227

Ordinance No. 2014-374
(Int. No. 399)

Authorizing a lease agreement with Voyager Boat Sales, Inc.

WHEREAS, the City of Rochester has received a proposal for the lease of 1015 Thomas Avenue to Voyager Boat Sales, Inc for a term of one year, commencing January 1, 2015, with options to renew for two additional one-year terms; and

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is required to follow additional procedures due to the length of the proposed lease; and

WHEREAS, the term of the lease is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the lease.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Voyager Boat Sales, Inc. for the continued lease of 1015 Thomas Avenue for 2015 for a term of one year, with two one-year renewal options. The agreement shall obligate Voyager Boat Sales, Inc. to pay rent of \$2,650 per month.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-375
Re: Agreement - Sector 4 Community
Development Corporation, Bull's
Head Brownfield Opportunity
Area Nomination Study

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legisla-
tion establishing \$40,000 as maximum compensa-
tion for an agreement with Sector 4 Community
Development Corporation (Sector 4 CDC), to assist
the City in completing a Brownfield Opportunity
Area (BOA) Nomination Study, and appropriating
\$40,000 from anticipated grant reimbursements
from the New York State Department of State
(NYSDOS) BOA grant to fund the agreement.

The cost of the agreement will be financed from
\$284,745 in BOA grant reimbursements. The
balance of the grant will be used to reimburse the
City for travel, supply costs and hired consultant
services required to conduct the project.

The NYSDOS BOA program provides funding to
assist municipalities and community-based organi-
zations with the costs of inventorying brownfields,
completing area-wide planning approaches to
brownfields redevelopment, and investigating key
brownfield sites. BOA grants provide funding for
up to 90% of eligible project costs.

In September 2011, Council authorized the City, in
conjunction with Sector 4 CDC, to apply for and
enter into agreements with NYSDOS for the pro-
posed Bull's Head BOA grant (Ord. No. 2011-
296). With the City as the lead applicant, the City
and Sector 4 CDC applied as co-applicants for the
BOA grant in March 2012. In October 2013,
NYSDOS announced the award of the Bull's Head
BOA grant.

During the Bull's Head BOA project, Sector 4
CDC will assist the City in civic engagement and
community planning related activities. These activi-
ties include, but are not limited to, community
outreach/recruitment; community meeting coordi-
nation and facilitation; notification and documenta-
tion of project meetings; project document reposi-
tory for public access; project data collection; and
inventory of community stakeholders.

The agreement will have an initial term of three
years with provisions for an additional one-year
extension, if the project duration and scope requires
additional services.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-228

Ordinance No. 2014-375
(Int. No. 400)

**Authorizing a professional services agreement
with Sector 4 Community Development Corpo-**

**ration, to assist the City in completing a Brown-
field Opportunity Area (BOA) Nomination
Study**

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 be-
tween the City and Sector 4 Community Develop-
ment Corporation (Sector 4 CDC), to assist the City
in completing a Brownfield Opportunity Area
(BOA) Nomination Study. The agreement shall
obligate the City to pay an amount not to exceed
\$40,000. Said amount shall be funded from antic-
ipated grant reimbursements from the New York
State Department of State (NYSDOS) BOA grant
authorized by Ordinance No. 2011-296. The term
of the agreement shall be for three years, with a
one-year option to renew.

Section 2. The agreement shall contain such
other terms and conditions as the Mayor deems
appropriate.

Section 3. This ordinance shall take effect im-
mediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-376
Re: Rochester Walks Program Grant

Transmitted herewith for your approval is legisla-
tion related to a cost of living adjustment (COLA)
for the Healthy Heart/Rochester Walks Program
grant. This legislation will:

1. Authorize an amendatory agreement with the
New York State Department of Health for the
receipt and use of a \$5,756 COLA for the
2014-15 Healthy Heart/Rochester Walks Pro-
gram; and
2. Authorize an amendatory agreement with the
University of Rochester Center for Communi-
ty Health increasing total compensation by
\$5,756 for the promotion of the Rochester
Walks Program in Focused Investment Strat-
egy areas.

Ordinance No. 2009-443 authorized the annual
receipt of \$71,775 from the Department of Health
for this five-year grant program. Ordinance No.
2010-200 subsequently established annual compen-
sation of \$69,622 for an agreement with the Uni-
versity of Rochester to run Rochester Walks, with
the balance of the award retained by the City for
administration of the grant.

The most recent legislation for Rochester Walks
authorized an amendatory agreement with the Uni-
versity of Rochester Center for Community Health
for a \$5,756 COLA for the 2013-14 fiscal year
(Ord. No. 2014-33).

This current amendment will bring the total award to the University to \$75,379 for the 2014-15 fiscal year.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-376
(Int. No. 401)

Authorizing amendatory agreements for the Rochester Walks Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the New York State Department of Health under the Healthy Heart Program for funding for the Rochester Walks Program for the receipt and use of \$5,756 in grant funds.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with the University of Rochester to implement the Rochester Walks Program. The amendatory agreement shall obligate the City to pay an amount not to exceed \$5,756 increasing the total maximum of the agreement to \$75,379, and said amount, or so much thereof as may be necessary, is hereby appropriated from New York Department of Health Healthy Heart Program Grant Funds.

Section 3. The amendatory agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-377
Re: 2014-15 Consolidated Community Development Plan - Emergency Solutions Grant Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Emergency Solutions Grant (ESG) program. This legislation will:

1. Rescind from Ordinance No. 2014-175 authorization for an agreement for ESG services with Recovery Houses of Rochester, Inc. in the amount of \$10,000, and
2. Re-appropriate the same amount for an amended agreement with Alternatives for Battered Women, Inc. (ABW) for ESG services, increasing the amount of the original agreement authorized via Ordinance No.

2014-175 from \$14,486 to \$24,486, to be funded from the Housing Choice Fund of the 2014-15 Consolidated Community Development Block Grant Consolidated Plan/Emergency Solutions Grants Program.

ABW is a not-for-profit provider of homelessness prevention services for individuals and families experiencing domestic abuse. ESG provides housing and support services for individuals and families who are homeless or at risk of homelessness.

The Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH): Emergency Solution Grants program requires that grantees (City and County) collaborate with the community of homelessness service providers. To that end, funding priorities were jointly determined with the Rochester/Monroe County Continuum of Care (CoC) and providers were selected through a request for proposal (RFP) process. The RFP was issued April 28, 2014. Although Recovery Houses of Rochester, Inc. was awarded a grant by the City-County consortium, the provider's operations were suspended in the second half of 2014 due to operating difficulties.

Agreement terms will be for one year, with the option to extend for an additional year if funds remain in the original appropriation.

This legislation supports the City Housing Policy's Section 4: *Promote Housing Choice*.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-377
(Int. No. 402)

Amending Ordinance No. 2014-175 and authorizing an amendatory agreement for the Emergency Solutions Grant

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2014-175 is hereby amended by deleting the authorization therein for an agreement with Recovery Houses of Rochester, Inc in the amount of \$10,000, and is further amended by increasing the amount authorized for an agreement with Alternatives for Battered Women, Inc. by \$10,000 to a total amount not to exceed \$24,486, and the Mayor is hereby authorized to enter into an amendatory agreement for this purpose. The cost of said agreement shall be funded by the \$10,000 previously appropriated which was authorized for the agreement with Recovery Houses of Rochester, Inc.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

Section 3. This ordinance shall take effect im-

mediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-378
Re: Real Estate Donation

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legisla-
tion authorizing the acceptance by donation of a
certain real property from the owner, Rochester
Land Bank Corporation (RLBC). The RLBC ac-
quired the property by donation from Wells Fargo
Bank, NA. Council authorization is needed to
accept the following parcel:

<u>Address</u>	<u>Purpose</u>
129 Mason Street	Hold/Focused Investment Strategy

Accepting the donation will assist the City in re-
moving blight in neighborhoods where redevelop-
ment plans are in place and other investments of
public dollars have been made through demolition
or managing the disposition of salvageable prop-
erties to qualified buyers who will restore them to
productive use.

Upon acquisition of the property by the City, any
taxes or charges levied after the date of closing will
be canceled. The property will be conveyed with
no other outstanding liens or encumbrances

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-229

Ordinance No. 2014-378
(Int. No. 403)

**Authorizing the acceptance of real estate by
donation**

BE IT ORDAINED, by the Council of the City
of Rochester as follows:

Section 1. The Council hereby authorizes the
acceptance of the donation of a real estate parcel
from the Rochester Land Bank Corporation as
follows:

<u>Address</u>	<u>SBL No.</u>
129 Mason Street	090.82-3-83
Hold/Focused Investment Strategy	

Section 2. Upon transfer of title to the City, any
City taxes and other City charges, against said
properties are hereby canceled.

Section 3. This ordinance shall take effect im-
mediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Haag,
McFadden, Ortiz, Palumbo, Patterson, Spaul - 7.

Nays - None - 0.

Councilmember Miller abstained because of a
professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-379
Re: Asset Control Area/Home Rochester
Program

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legisla-
tion authorizing agreements with the Rochester
Housing Development Fund Corporation
(RHDFC), Greater Rochester Housing Partnership
(GRHP), and JP Morgan Chase for implementation
of the Asset Control Area/Home Rochester Pro-
gram. This legislation will establish construction
financing for the program and includes the follow-
ing actions:

1. Authorize City participation in the RHDFC
Loan VII financing pool. The City's contri-
bution of \$1,919,256 will be funded by Loan
VI revenues that will be used to establish a
trust account accessible for Loan VII Home
Rochester properties. RHDFC will adminis-
ter the trust account, and the agreement with
the City will describe the process by which
RHDFC may draw the Loan VI revenues for
Loan VII properties.
2. Establish a loss reserve for Loan VII in the
amount of \$238,000 to be financed from the
U.S. Housing and Urban Development
(HUD) Asset Control Area Program (ACAP)
Fund.
3. Establish an interest reserve account not to
exceed \$25,000 which will be financed from
Prior Years' Cash Capital allocation of the
Department of Neighborhood and Business
Development. The fund will be used to pro-
vide 1% annual interest to enable the working
capital loan for the program. For Loan VII,
the working capital loan will be \$750,000,
provided by the Greater Rochester Housing
Partnership, Inc. (GRHP) through the Martin
Luther King Jr. Housing Fund, and adminis-
tered by RHDFC.

RHDFC has operated the Home Rochester program
since its inception in 2001 in partnership with the
City, GRHP, and neighborhood-based non-profit
developers. RHDFC buys vacant homes and over-
sees their renovation for sale to first-time home-
buyers.

RHDFC has also facilitated City participation in
ACAP since the City's original agreement with

HUD in 2004. ACAP obligates the City to purchase FHA-foreclosed, single-family properties in specified areas of the city and to sell those properties to eligible buyers. RHDFC also acquires properties through donations, the Rochester Land Bank Corporation, and makes purchases on the private market.

Since 2001, RHDFC has received over \$72 million of funding to buy and renovate houses in Rochester. Financing for these activities has been through a series of construction loans funded by a public-private partnership. Loan VI, totaling \$16,000,000, closed in October 2012; and Loan VII, approximating \$16,000,000, is in preparation for closing.

The lead lender for Loan VII is JP Morgan Chase. Participating lenders are anticipated to include the City of Rochester, GRHP, Enterprise Community Partners, Partners for the Common Good, HSBC Bank, M&T Bank, First Niagara Bank, and the Low Income Investment Fund. The City will participate as a lender using \$1,919,256 in revenues from its Loan VI contribution of Neighborhood Stabilization Program funds previously awarded by the New York State Housing Finance Agency.

The loss reserve is required to induce the participation of public and private lenders to provide the capital to fund Loan VII, since the lenders will agree to forego a lien during construction.

The working capital will be used to purchase vacant and foreclosed properties for Home Rochester and make funds available between monthly draws on Loan VII. The renovation of the properties will be funded by Loan VII.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-379
(Int. No. 415)

Authorizing agreements for the Asset Control Area/Home Rochester Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement or agreements with the Rochester Housing Development Fund Corporation (RHDFC), J.P. Morgan Chase & Co. and the Greater Rochester Housing Partnership, Inc. to permit the continued participation of the City in the Asset Control Area/Home Rochester (ACA) Program through the continued acquisition and development of vacant single family properties under Loan VII. The City shall participate as a lender in RHDFC Loan VII through the allocation of \$1,919,256 in Loan VI revenues that will be held in a trust account for this purpose. The agreement(s) shall outline how the trust account funds will be accessed for Loan VII properties.

Section 2. The agreement(s) shall obligate the

City of Rochester to pay an amount not to exceed \$238,000 to establish a loss reserve account for Loan VII, and said amount, or so much thereof as may be necessary, is hereby appropriated from the HUD Asset Control Area (ACA) Program Fund for this purpose.

Section 3. The agreement(s) shall further obligate the City of Rochester to pay an amount not to exceed \$25,000 for an interest reserve account for the Program, and said amount, or so much thereof as may be necessary, is hereby appropriated from Prior Years Cash Capital.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-380 and
Ordinance No. 2014-381
Re: Marketview Heights Urban Renewal
District

Council Priorities: Rebuilding and
Strengthening Neighborhood Housing;
Public Safety; Jobs and Economic
Development

Transmitted herewith for your approval is legislation approving the Marketview Heights Urban Renewal District Plan (Plan) and amending the Zoning Code and Zoning Map to implement the Plan.

In November 2011, the City Council designated the area generally bounded by Scio Street, the Inner Loop, North Union Street, and the CSX Railroad tracks, and also including properties on the north side of East Main Street between North Union Street and Prince Street, as the Marketview Heights Urban Renewal District (District). A map showing the boundaries of the District and of related planning and zoning districts is enclosed, as is a copy of the Plan. The District encompasses most of the South Marketview Heights neighborhood, a designated Focused Investment Strategy (FIS) area. The purpose of the District designation was to obligate the development of an urban renewal plan to facilitate further redevelopment.

The Plan builds on several years of planning and development initiatives implemented under the FIS program. Then, in 2013, a Steering Committee comprised of representatives from the Marketview Heights Collective Action Project (CAP), Marketview Heights Association, PathStone Corporation, Enterprise Community Partners, and several City departments, was convened to work with a professional planning consultant on the development of the Plan.

The Steering Committee met several times, including a meeting for the project kick-off, a presentation on existing conditions and market potential, and a review of a draft vision for the District, redevelopment alternatives, and public realm improvements. The Plan includes a professional market study, which was prepared during the development of the Plan, so that it factors in the District's economic and market realities. Neighbors and community leaders involved in CAP dedicated portions of their community meetings to reviewing the Plan, setting their priorities for the District and commenting on the Plan's proposed land uses.

The Plan they developed, entitled the Marketview Heights Urban Renewal District Plan, was prepared by Interface Studio, LLC, Real Estate Strategies, Inc./RES Advisors and Bergmann Associates, and issued on June 11, 2014. The Plan outlines a multi-phase conceptual action plan extending over several years to reduce, eliminate, and prevent the spread of blight in the neighborhood and position key sites for redevelopment, taking into account the FIS and other ongoing development initiatives, and the community's vision for the neighborhood. The Plan includes recommendations directed at stabilizing and revitalizing the housing stock, enhancing public spaces, encouraging compatible commercial development, improving public safety, and strengthening the connection to the Rochester Public Market.

Major improvements proposed in the Plan include:

- Construction of approximately 75 new mixed-income townhouse rental units centered on and around the area north of Lewis Street;
- Construction of approximately 24 new single-family, in-fill homes scattered throughout the District;
- Rehabilitation of approximately seven single-family homes;
- Repurposing six small parcels as new side yards for adjacent homes;
- Adaptive reuse of the former Eastman Dental Dispensary for apartments (Ord. Nos. 2014-277, 278 and Res. No. 2014-21); and
- Soliciting a pharmacy to locate on East Main Street per neighbors' direction.

The Plan contains a detailed map of the existing uses of every lot within the District and a detailed map of the proposed improvements. All new buildings and rehabilitations will be designed in accordance with FIS design standards to match the scale, density, and historic architecture of the neighborhood, while encouraging an overall increase in neighborhood density that's similar to the conditions that existed prior to the area's decline. However, as the Plan is conceptual in nature, the precise numbers, locations, and timing of the new and rehabilitated homes and other improvements depicted in it are subject to adjustments where necessary to adapt to changes in market conditions, the

availability of private and public funding sources, and other factors.

The Plan requires amendments to the City's Zoning Code and Zoning Map in order to establish the District's zoning and implement the Plan's land use recommendations. The District currently consists of areas zoned R-2 Medium Density Residential, C-2 Community Center Commercial, CCD Center City, M-1 Industrial, and O-S Open Space. The proposed Zoning Map amendment redesignates all of the District's parcels to Marketview Heights Urban Renewal District; however, the zoning text amendment currently maintains the same zoning regulations that presently apply within the District's various zones.

The Planning Commission held an informational hearing on the Plan and zoning amendments on November 10, 2014. There was one speaker in favor of the Plan or the zoning amendments and no speakers in opposition. The Commission voted 5-0 to recommend approval. The meeting minutes and recommendation are attached.

The Rochester Environmental Commission (REC) reviewed the proposal, including the Plan document, the proposed ordinances, and Part 1 of a Full Environmental Assessment Form on November 20, 2014. The REC voted 5-0 to endorse the proposal; recommendations are attached.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-230

Ordinance No. 2014-380
(Int. No. 417)

Approving the Urban Renewal Plan for the Marketview Heights Urban Renewal District

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. This Ordinance applies to the Marketview Heights Urban Renewal District ("URD"), which is an area within an irregularly shaped boundary generally including properties located along the west side of Scio Street from the Inner Loop to the railroad tracks, easterly along the railroad tracks and cutting over to Augusta Street running east, properties along the east side of North Union Street running south of Champeney Terrace to Kenilworth Terrace, then including properties on the north side of East Main Street and west of Prince Street, and then east of the Inner Loop from East Main Street to the west side of Scio Street. By Ordinance No. 2011-343 adopted on January 24, 2011, the Council designated the Marketview Heights URD as an area that is appropriate for urban renewal in accordance with an urban renewal plan to be developed in accordance with the provisions of Article 15 of the General Municipal Law of the State of New York.

Section 2. The Council hereby approves the Marketview Heights Urban Renewal District Plan for the Marketview Heights URD as prepared by Interface Studio LLC, Real Estate Strategies, Inc. / RES Advisors and Bergmann Associates and dated June 11, 2014 (the "Plan"), a copy of which shall be kept on file and available for public review in the City Bureau of Planning and Zoning.

Section 3. The Council finds that:

- (a) The Marketview Heights URD is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the City.
- (b) Financial aid to be provided to the City is necessary to enable the urban renewal program to be undertaken in accordance with the Plan.
- (c) The Plan affords maximum opportunity to private enterprise, consistent with the sound needs of the City as a whole, to undertake an urban renewal program.
- (d) The Plan conforms to a comprehensive community plan for the development of the City as a whole.
- (e) There is a feasible method for the relocation of families and individuals displaced from the urban renewal area into decent, safe and sanitary dwellings at affordable prices or rents and reasonably accessible to their places of employment.
- (f) Undertaking and carrying out urban renewal Plan activities in stages is in the best public interest and will not cause any additional or increased hardship to the residents of the Marketview Heights URD.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2014-381
(Int. No. 418)

Changing The Zoning Map classification of parcels on Scio Street, North Union Street, East Main Street, Lyndhurst Street, Weld Street, Woodward Street, Ontario Street, Lewis Street, Augusta Street and Davis Street from O-S Open Space, R-2 Medium Density Residential, C-2 Community Center, CCD-M Center City District Main Street and M-1 Industrial to Marketview Heights Urban Renewal District ("District") to apply additional Urban Renewal District Requirements while maintaining the Zoning Regulations previously applicable to the respective O-S, R-2, C-2, CCD-M and M-1 portions of said District

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by classifying the following-described property as Marketview Heights Urban Renewal District ("U-R Marketview Heights" or "District"). Said District shall be subject to the Urban Renewal Plan as approved by the City Council, or any subsequent amendment thereto (the "Plan"), the U-R Urban Renewal District provisions of Article XVI, U-R Urban Renewal District, of Chapter 120, Zoning Code of the Municipal Code, as amended, and the Chapter 120 regulations governing the previous zoning classification of each parcel, such that the zoning classification of the following-described property, constituting 401-429 Scio Street and 76 Ontario Street is changed from O-S Open Space to U-R Marketview Heights O-S; 270-462 Scio Street, 474-500 Scio Street, 271-391 Scio Street, 443-491 Scio Street, 204-260 Davis Street, 155-249 Davis Street, 4-16 Augusta Street, 112-202 Lewis Street, 113-199 Lewis Street, 94-142 Ontario Street, 97-137 Ontario Street, 96-136 Woodward Street, 97-135 Woodward Street, 102-140 Weld Street, 97-137 Weld Street, 194-280 Lyndhurst Street, 229-293 Lyndhurst Street, 138-206 North Union Street, and 125-249 North Union Street is changed from R-2 Medium Density Residential to U-R Marketview Heights R-2; 650-770 East Main Street is changed from CCD-M Center City District-Main Street to U-R Marketview Heights CCD-M; 800-834 East Main Street is changed from C-2 Community Center to U-R Marketview Heights C-2; and 512 Scio Street and 255 North Union Street is changed from M-1 Industrial to U-R Marketview Heights M-1.

Section 2. Section 120-119 of the Municipal Code, Urban Renewal Districts in the City of Rochester, as amended, is hereby further amended by adding a new subsection Q to read in its entirety as follows:

Q. Marketview Heights Urban Renewal District.

Section 3. Section 120-120 of the Municipal Code, Zoning designations and modifications, as amended, is hereby further amended by amending subsection Q to read in its entirety as follows:

Q. Marketview Heights Urban Renewal District. See Rochester Zoning Map.

- (1) Land uses within the Marketview Heights Urban Renewal district that are classified as U-R Marketview Heights O-S shall be regulated by the O-S Open Space zoning.
- (2) Land uses within the Marketview Heights Urban Renewal district that are classified as U-R Marketview Heights R-2 shall be regulated by the R-2 Medium Density Residential zoning.
- (3) Land uses within the Marketview Heights Urban Renewal district that are classified as U-R Marketview Heights CCD-M shall be regulated by the CCD-M Center City District-Main Street zoning.

- (4) Land uses within the Marketview Heights Urban Renewal district that are classified as U-R Marketview Heights C-2 shall be regulated by the C-2 Community Center zoning.
- (5) Land uses within the Marketview Heights Urban Renewal district that are classified as U-R Marketview Heights M-1 shall be regulated by the M-1 Industrial zoning.

Section 4. The property classified as the District is comprised of all that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of former Town of Brighton Lots 58 and 66, 2nd Division of Township 13, Range 7, and part of former Town of Irondequoit Lot 65, 2nd Division of Township 13, Range 7, and being more particularly bounded and described as follows: Beginning at the intersection of the centerline of East Main Street (90' ROW) and the westerly street line of Prince Street (60' ROW); thence

- 1) Southwesterly, along said centerline of East Main Street, a distance of 1463 feet, more or less, to a point on the westerly extension of Tax Parcel No. 106.82-01-01.1, extended to the said centerline of East Main Street; thence
- 2) Northwesterly and northeasterly, along the westerly bounds of Tax Parcel No. 106.82-01-01.1 and also along the northeasterly bounds of Interstate 490 Inner Loop, a distance of 295 feet, more or less, to the southwest corner of Tax Parcel No. 106.74-01-41; thence
- 3) Northeasterly, along the westerly bounds of said Tax Parcel No. 106.74-01-41 and along said Inner Loop, a distance of 57 feet, more or less, to the southeast corner of Tax Parcel No. 106.74-01-42; thence
- 4) Northwesterly, along said bounds of Inner Loop and along the southerly bounds of Tax Parcel Nos. 106.74-01-42 and 43, 106.73-02-24,25,26.1 and 28, a distance of 284 feet, more or less, to the southwest corner of Tax Parcel No. 106.73-02-28; thence
- 5) Northeasterly, along said Inner Loop and the westerly bounds of Tax Parcel No. 106.73-02-28, a distance of 90 feet, more or less, to the south street line of Lyndhurst Street (50' ROW); thence
- 6) Northwesterly, along the southerly street line of Lyndhurst Street, a distance of 428 feet, more or less, to the centerline of Scio Street (50' ROW); thence
- 7) Northeasterly, along the centerline of Scio Street, a distance of 50 feet, more or less, to the intersection of the centerline of Scio Street with the extension of the northerly street line of Lyndhurst Street; thence
- 8) Northwesterly, along the northerly street line Lyndhurst Street, a distance of 115 feet, more or less, to the southwest corner of Tax Parcel No. 106.73-01-37.1; thence
- 9) Northerly, westerly and northerly, along the westerly bounds of said Tax Parcel No. 106.73-01-37.1, a total distance of 160 feet, more or less, to the northwest corner of said Tax Parcel No. 106.73-01-37.1; thence
- 10) Westerly, along the southerly bounds of Tax Parcel No. 106.73-01-32, a distance of 32.3 feet, more or less, to the southwest corner of said Tax Parcel No. 106.73-01-32; thence
- 11) Northerly, along the westerly bounds of Tax Parcel No. 106.73-01-32, a distance of 42 feet, more or less, to the northwest corner of said Tax Parcel No. 106.73-01-32; thence
- 12) Easterly, along the northerly bounds of Tax Parcel No. 106.73-01-32, a distance of 33 feet, more or less, to the southwest corner of Tax Parcel No. 106.73-01-30.1; thence
- 13) Northerly, along the westerly bounds of Tax Parcel No. 106.73-01-30.1 and continuing across Weld Street (50' ROW), a distance of 139 feet, more or less, to the north street line of Weld Street; thence
- 14) Easterly, along the northerly street line of Weld Street, a distance of 35 feet, more or less, to the southwest corner of Tax Parcel No. 106.73-01-29.1; thence
- 15) Northerly, along the westerly bounds of Tax Parcel Nos. 106.73-01-29.1,27.1 & 29.1, crossing Bohrer Alley (16' ROW) and continuing along the westerly bounds of Tax Parcel Nos. 106.65-03-40,38.1 and 37, and continuing across Woodward Street (50' ROW), for a total distance of 333.8 feet, more or less, to the northerly street line of Woodward Street; thence
- 16) Easterly, along the northerly street line of Woodward Street, a distance of 23 feet, more or less, to the southwest corner of Tax Parcel No. 106.65-02-42.1; thence
- 17) Northerly, along the westerly bounds of Tax Parcel Nos. 106.65-02-42.1 and 41.2, a distance of 115 feet, more or less, to the northwest corner of said Tax Parcel No. 106.65-02-41.2; thence
- 18) Westerly, along the southerly bounds of Tax Parcel No. 106.65-02-30.1, a distance of 33.8 feet more or less, to the southwest corner of Tax Parcel No. 106.65-02-30.1; thence
- 19) Northerly, along the westerly bounds of Tax Parcel Nos. 106.65-02-30.1, 29, 28, 27, and continuing across Ontario Street (50' ROW), for a total distance of 215.3 feet, more or less, to the northerly street line of Ontario Street; thence

- 20) Westerly, along the northerly street line of Ontario Street, a distance of 27 feet, more or less, to the southwest corner of Tax Parcel No. 106.65-01-59; thence
- 21) Northerly, along the westerly bounds of Tax Parcel Nos. 106.65-01-59, 57, 56, 55, 54, 52 and continuing across Lewis Street (40' ROW), for a total distance of 270.6 feet, more or less, to the northerly street line of Lewis Street; thence
- 22) Westerly, along the northerly street line of Lewis Street, a distance of 66 feet, more or less, to the southwest corner of Tax Parcel No. 106.65-01-24.1; thence
- 23) Northerly, along the westerly bounds of Tax Parcel No. 106.65-01-24.1, a distance of 90.86 feet, more or less, to the northeast corner of Tax Parcel No. 106.65-01-36.2; thence
- 24) Westerly, along the northerly bounds of Tax Parcel No. 106.65-01-36.2, a distance of 19.27 feet more or less, to the southeast corner of Tax Parcel No. 106.65-02-22.1; thence
- 25) Northerly, along the westerly bounds of Tax Parcel No. 106.65-01-24.1, a distance of 84.95 feet, more or less, to the south street line of Davis Street (46' ROW); thence
- 26) Easterly, along the southerly street line of Davis Street, a distance of about 223 feet, more or less, to a point at the intersection of the south street line of Davis Street with the westerly bounds of Tax Parcel No. 106.57-03-40 projected south; thence
- 27) Northerly, crossing Davis Street and continuing along the westerly bounds of Tax Parcel Nos. 106.57-03-40, 39 and 38, a distance of about 144 feet, more or less, to the northwest corner of Tax Parcel No. 106.57-03-38; thence
- 28) Easterly, along the northerly bounds of Tax Parcel No. 106.57-03-38 and continuing across Scio Street (50' ROW), a distance of about 167 feet, more or less, to a point at the intersection of the easterly street line of Scio Street with the northerly bounds of Tax Parcel No. 106.57-03-38 projected easterly; thence
- 29) Northerly, along the easterly street line of Scio Street, a distance of about 145 feet, more or less, to the northwest corner of Tax Parcel No. 106.58-01-70.1 and the southerly bounds of land now or formerly owned by New York Central Railroad; thence
- 30) Easterly, along the southerly bounds of said lands of New York Central Railroad, a distance of about 570 feet, more or less, to the easterly end of Davis Street (varying width) at its' intersection with the northerly bounds of Tax Parcel No. 106.66-01-50.1; thence
- 31) Westerly, along the southerly street line of Davis Street and along the northerly bounds of Tax Parcel No. 106.66-01-50.1, a distance of about 207 feet more or less, to the northeast corner of Tax Parcel No. 106.66-01-12; thence
- 32) Southerly, along the easterly bounds of Tax Parcel No. 106.66-01-12, a distance of 105.5 feet more or less, to the southeast corner of Tax Parcel No. 106.66-01-12; thence
- 33) Westerly, along the southerly bounds of Tax Parcel No. 106.66-01-12, a distance of 22 feet more or less, to the northeast corner of Tax Parcel No. 106.66-01-52.2; thence
- 34) Southerly, along the easterly bounds of Tax Parcel No. 106.66-01-52.2, a distance of 120 feet more or less, to the southeast corner of Tax Parcel No. 106.66-01-52.2 and the former centerline of Augusta Street; thence
- 35) Easterly, along the former centerline of Augusta Street and along the southerly bounds of Tax Parcel No. 106.66-01-50.1, continuing across North Union Street on an extension of said centerline of Augusta Street, a distance of about 617.4 feet more or less, to the east street line of North Union Street (50' ROW); thence
- 36) Southerly, along the easterly street line of North Union Street, a distance of about 363 feet more or less, to the intersection of the easterly street line of North Union Street with the southerly street line of Champeney Terrace (40' ROW); thence
- 37) Easterly, along the southerly street line of Champeney Terrace, a distance of 95 feet more or less, to the northwest corner of Tax Parcel No. 106.66-02-27; thence
- 38) Southerly, along the westerly bounds of Tax Parcel No. 106.66-02-27, a distance of 80 feet more or less, to the southwest corner of Tax Parcel No. 106.66-02-27; thence
- 39) Easterly, along the southerly bounds of Tax Parcel No. 106.66-02-27, a distance of 40 feet more or less, to the northeast corner of Tax Parcel No. 106.66-02-33.1; thence
- 40) Southerly, along the easterly bounds of Tax Parcel Nos. 106.66-02-33.1, 32 and continuing along the easterly bounds of Tax Parcel Nos. 106.74-02-1, 94, 93, 92, 91, 90, 89, 88, and 87, a distance of 450 feet more or less, to the southeast corner of Tax Parcel No. 106.74-02-87; thence
- 41) Westerly, along the southerly bounds of Tax Parcel No. 106.74-02-87, a distance of 35 feet more or less, to the northeast corner of Tax Parcel No. 106.74-02-86; thence

- 42) Southerly, along the easterly bounds of Tax Parcel No. 106.74-02-86, a distance of 40 feet more or less, to the southeast corner of Tax Parcel No. 106.74-02-86; thence
- 43) Easterly, along the northerly bounds of Tax Parcel No. 106.74-02-85, a distance of 35 feet more or less, to the northeast corner of Tax Parcel No. 106.74-02-85; thence
- 44) Southerly, along the easterly bounds of Tax Parcel No. 106.74-02-85 and 84, a distance of 80 feet more or less, to the southeast corner of Tax Parcel No. 106.74-02-84; thence
- 45) Westerly, along the southerly bounds of Tax Parcel No. 106.74-02-84, a distance of 15 feet more or less, to the northeast corner of Tax Parcel No. 106.74-02-83; thence
- 46) Southerly, along the easterly bounds of Tax Parcel No. 106.74-02-83, 81.1 and 80, a distance of 143.4 feet more or less, to the northerly street line of Kenilworth Terrace (60' ROW); thence
- 47) Southwesterly, along the northerly street line of Kenilworth Terrace, a distance of 24.45 feet more or less, to an angle point in said street line of Kenilworth Terrace; thence
- 48) Southerly, in a direct line, crossing Kenilworth Terrace, a distance of about 60 feet more or less, to the northwest corner of Tax Parcel No. 106.74-02-37; thence
- 49) Southerly, along the varying westerly bounds of Tax Parcel No. 106.74-02-37, a total distance of about 157 feet more or less, to the southwest corner of Tax Parcel No. 106.74-02-37; thence
- 50) Northeasterly, along the southerly bounds of Tax Parcel No. 106.74-02-37, a distance of 140 feet more or less, to the southeast corner of Tax Parcel No. 106.74-02-37; thence
- 51) Northwesterly, along the easterly bounds of Tax Parcel No. 106.74-02-37, a distance of 125 feet more or less, to the southerly street line of Kenilworth Terrace; thence
- 52) Northeasterly, along the southerly street line of Kenilworth Terrace, a distance of 220 feet more or less, to the intersection of the southerly street line of Kenilworth Terrace with the easterly street line of Alexander Street; thence
- 53) Southeasterly, along the easterly street line of Alexander Street, a distance of 142 feet more or less, to the northerly bounds of Tax Parcel No. 106.74-02-24.1; thence
- 54) Northeasterly, along the northerly bounds of Tax Parcel No. 106.74-02-24.1, a distance of 60 feet more or less, to an angle in the northerly bounds of Tax Parcel No. 106.74-02-24.1; thence
- 55) Northwesterly, along the northerly bounds of Tax Parcel No. 106.74-02-24.1, a distance of 15 feet more or less, to an angle in the northerly bounds of Tax Parcel No. 106.74-02-24.1; thence
- 56) Northeasterly, along the northerly bounds of Tax Parcel No. 106.74-02-24.1, a distance of 140 feet more or less, to the southeast corner of Tax Parcel No. 106.74-02-42; thence
- 57) Northwesterly, along the easterly bounds of Tax Parcel No. 106.74-02-42, a distance of 125 feet more or less, to the southerly street line of Kenilworth Terrace; thence
- 58) Northeasterly, along the southerly street line of Kenilworth Terrace, a distance of 54 feet more or less, to the northwesterly corner of Tax Parcel No. 106.74-02-44.1; thence
- 59) Southeasterly, along the westerly bounds of Tax Parcel No. 106.74-02-44.1, a distance of 125 feet more or less, to the southwesterly corner of Tax Parcel No. 106.74-02-44.1; thence
- 60) Northeasterly, along the northerly bounds of Tax Parcel No. 106.74-02-24.1 and 24.2, a total distance of 106 feet more or less, to the northeast corner of Tax Parcel No. 106.74-02-24.2; thence
- 61) Southeasterly, along the easterly bounds of Tax Parcel No. 106.74-02-24.2, a distance of 100 feet more or less, to the northwesterly corner of Tax Parcel No. 106.74-02-17.1; thence
- 62) Northeasterly, along the northerly bounds of Tax Parcel No. 106.74-02-17.1, a distance of 120 feet more or less, to the westerly street line of Prince Street (60' ROW); thence
- 63) Southeasterly, along the westerly street line of Prince Street, crossing the northerly street line of East Main Street (90' ROW), and continuing to the centerline of East Main Street and to the true Point or Place of Beginning.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-382
Re: Port Development - Sale of Parcel 1 North

Council Priorities: Deficit Reduction and Long-Term Financial Stability; Rebuilding and Strengthening Neighborhood Housing; and Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the development of Parcel 1 at the

Port of Rochester. This legislation will:

1. Authorize the sale of 1.26 acres (Parcel 1 North) of the northern portion 4752 Lake Avenue to Edgewater Resources, LLC or an entity to be formed by Edgewater Resources, LLC (Members Greg Weykamp and Ronald Schults) and Edgemere Development. Parcel 1 North will be sold for the appraised value of \$176,239.
2. Authorize a five-year purchase option for 1.364 acres (Parcel 1 South) of the southern portion of 4752 Lake Avenue to Edgewater Resources, LLC or an entity to be formed by Edgewater Resources, LLC (Members Greg Weykamp and Ronald Schults) and Edgemere Development. The purchase option parcel will be sold for the appraised value of \$218,761. The sale will be subject to City Council approval should the Developer wish to exercise the Option Agreement.
3. Authorize the granting and acceptance of any necessary easement for utilities, public access and development of the parcel.

A request for qualifications was issued for the 2.824 acre site located at 4752 Lake Avenue (Parcel 1) on September 30, 2013. The team of Edgewater Resources, LLC, St. Joseph, Michigan, and Edgemere Resources, Rochester, New York, (the "Developer") was selected as the preferred developer. The subdivision of the property is currently underway and will create two parcels: Parcel 1 North and Parcel 1 South. The proposed development will be undertaken in no less than three phases beginning with the north eastern portion of Parcel 1 North.

Phase I

Phase I includes the construction of a 10-story, 75,650 sq. ft. building consisting of approximately 213 structured parking spaces, an approximately 52-room boutique hotel with a restaurant and event space, approximately 18 residential condominium units, a 5,400 sq. ft. spa and 900 sq. ft. of commercial space. Phase I would commence in spring 2016 and be completed in late 2017 or early 2018. The entity to be formed to undertake the project will consist of the following:

- Gregory Weykamp - 40%
- Ronald Schults - 40%
- Edgemere Development - 20%

The total investment for Phase I is \$21,500,000. The sources and uses of funding are as follows:

<u>Sources</u>	
EB-5 investment	\$13,000,000
Developer equity	<u>8,500,000</u>
Total	\$21,500,000
<u>Uses</u>	
Acquisition	\$ 176,239
Purchase option fee	21,876

Construction	17,650,000
Soft costs/fees	<u>3,651,885</u>
Total	\$21,500,000

Phase I will create approximately 210 construction jobs and 58 permanent jobs. The Developer will meet with the community to review the current plans and seek their input for consideration in the design of the project, and again later in the process, for each subsequent phase, as the design is refined and finalized.

Phase II

Phase II would commence in 2017 and would include the remaining area of Parcel 1 North immediately west of Phase I and adjacent to Lake Avenue. The preliminary program for Phase II includes no more than 48 residential condominiums on floors 3-10 (set back 30 feet from the right-of-way). The base of the building is a 2-story podium containing approximately 14 townhouses and 7,800 sq. ft. of commercial space. The final number and mix of units for Phase II may change as the market supports and permits.

Purchase Option and Phase III

The Developer will have an option to purchase Parcel 1 South upon successful performance of Phase I and II. The Purchase Option must be exercised within five years of the purchase closing date of Parcel 1 North. The Developer shall provide a 10% nonrefundable payment to the City in consideration of the Purchase Option. Should the Developer wish to exercise the Option Agreement, the sale will be subject to City Council approval. Should the Option be exercised, the payment will be credited towards the purchase price. The purchase price for Parcel 1 South is \$218,761. Sale of the Option Parcel is contingent upon the developer diligently demonstrating good faith efforts, to the satisfaction of the City, towards meeting the City's MWBE and Workforce goals for Parcel 1 North.

The preliminary development program for Parcel 1 South includes a building not exceeding 10 stories with approximately 50 residential condominiums, 20 townhouses and 20,000 sq. ft. of commercial space.

Civic Square

The City will retain a Public Use and Access Easement over portions of Parcel 1 North and South. The easement will encompass an area from Lake Avenue to the River Street extension, and will have a minimum width of 80 feet and maximum width of 120 feet. Design and construction of the Civic Square will be undertaken by the City of Rochester. It is anticipated that design of the Civic Square would start in fiscal year 2015-16. Design would be funded through Prior Years' Cash Capital allocations as authorized per Ordinance No. 2010-69. It is anticipated that construction would commence in fiscal year 2016-17.

The Developer has committed to the following workforce hiring goals for the project: 20% for minority and disadvantaged persons and 6.9% for women. The Developer has committed to the following enterprise goals for the project: 20% of the

total dollar amount of the construction contracts for the project for minority, disadvantaged, small, and women-owned business enterprises. The Developer will also be required to retain a third-party monitor to assist with the workforce and MWDBE goals.

The Developer will seek benefits from the County of Monroe Industrial Development Agency. The City's internal Payment in Lieu of Taxes (PILOT) Review Committee is recommending support of a special PILOT Agreement for the purchasers of the residential condominium units at Parcel 1 North. The proposed special PILOT would mirror the existing CHOICE Program currently in effect for the Center City Zoning District in downtown. This Program provides a nine-year tax abatement for purchasers of owner-occupied residential units starting at 90% in year one and decreasing by 10% annually until the unit is at full taxable status in year ten.

The total investment through all three phases of the project is anticipated to be \$73,500,000; creating 800 direct and indirect jobs. The projected net increase in City and County real estate tax revenues from the project over a 10-year period is approximately \$3,658,000. The Bureau of Business and Housing Development has performed a financial review of the Developers. The review shows that the Developers' global real estate holdings are generating positive cash flow after debt service. Both Developers' personal financial statements reflect positive net worth and liquidity. Parcel 1 North will not be transferred to the developer until all financing of Phase I is committed and verified.

The State Environmental Quality Review is underway. This is a Type 1 action; lead agency was coordinated with all involved agencies, and will be completed prior to City Council action.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-231

Ordinance No. 2014-382
(Int. No. 420, as amended)

Authorizing the sale of a parcel of land to Edgewater Resources LLC at the Port of Rochester, and a purchase option for an additional parcel

BE IT ORDAINED by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the sale of a parcel of land at the Port of Rochester to Edgewater Resources LLC or an entity to be formed by Edgewater Resources LLC. Said parcel of land being about 1.26 acres and known as Parcel 1 North and being a portion of the parcel identified as 4752 Lake Avenue SBL # 47.55-01-01.4 on a resubdivision map dated October 23, 2014 prepared by LaBella associates, PC. The parcel shall be sold for an appraised value of \$176,239.

Section 2. The Council hereby approves granting of a five-year purchase option agreement to Edgewater Resources LLC or an entity to be formed by Edgewater Resources LLC to purchase a parcel of land at the Port of Rochester. Said parcel of land being about ~~1.364~~ 1.564 acres and known as Parcel 1 South and being a portion of the parcel identified as 4752 Lake Avenue SBL # 47.55-01-01.4 on a resubdivision map dated October 23, 2014 prepared by LaBella associates, PC. The parcel shall be sold if the option is exercised, for an appraised value of \$218,761. The agreement shall provide that any exercise of the purchase option by Edgewater Resources LLC or an entity to be formed by Edgewater Resources LLC shall be subject to the approval of the City Council.

Section 3. The sale of the above parcels shall be conditioned upon the purchaser granting to the City an easement for public access on a portion of the parcels in a form acceptable to the City, and the acceptance of said easement is hereby authorized. The Council hereby authorizes the granting and acceptance of any necessary easement for utilities, public access and development of the parcel.

Section 4. The agreements shall contain such other terms and conditions as the Mayor deems appropriate.

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-383 and
Ordinance No. 2014-384

Re: Amending Ordinance Nos. 2012-247 and
2013-229- Loan Agreement, Harris Park
Apartments

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Harris Park Apartments, an affordable housing project. This legislation will:

1. Amend Ordinance No. 2013-229 to extend the term of the loan authorized therein from 20 to 30 years, commencing at the end of construction, which is the day that the construction loan converts to permanent financing. Other terms of the loan will remain the same: i.e., annual interest payments of 1% (\$5,000), and the principal payment due at the end of the term.
2. Amend Ordinance No. 2012-246 by extending the PILOT term from 20 years to 32 years, and including the parcel at 289 North Winton Road, which consists of a driveway that leads into a parking lot, that was inadver-

tently omitted.

Ordinance No. 2012-247 and accompanying Ordinance No. 2012-246 initially authorized a loan of \$300,000 and a PILOT for 20 years for the Harris Park Apartments. Subsequent legislation, Ordinance No. 2013-229, authorized the loan to be increased to \$500,000 for Harris Park, LLC or an affiliated partnership or housing fund development corporation to be formed for the acquisition and rehabilitation of 289 North Winton Road and 72-136 Floverton Street for affordable housing.

As a part of the agreement to increase the City's investment to \$500,000, Conifer agreed to undertake a substantial rehabilitation at the location within five years. To honor that agreement, Conifer has secured financing from New York State (NYS) in the form of permanent bonds, tax credits and a Housing Finance Agency subsidy, Federal Home Loan Bank and Citibank funding for the project.

The extended term is needed to conform to NYS requirements for financing. The City loan represents approximately 4% of the project's total development cost of \$13,470,874. The change in the term of the City loan will make it coterminous with the other permanent loans. Funding from Citibank was secured by the developer last week as part of the National Mortgage Servicing Settlement agreed upon after the national mortgage crisis. This funding must be accepted by December 18; Council's regular meeting is on December 16.

The scope of work for the project includes the following:

- Mechanicals: New energy efficient heating boilers, roof, HVAC control and plumbing repairs and windows.
- Exterior: Site lighting, sidewalk repairs, brick façade improvements, handicap accessible ramps and repair and restriping of parking lot.
- Interior: Common areas will include new flooring, painting and lighting fixtures. Each unit will receive new cabinetry, counters and building entry doors, flooring, appliances, lighting fixtures and bathroom accessories.

The current project budget is summarized below:

<u>Costs</u>	
Acquisition	\$ 4,300,000
Construction	4,933,000
Soft costs	2,036,238
Contingency	841,112
Development fee	1,171,524
Working capital	75,000
Project reserves	114,000
Total	<u>\$13,470,874</u>
 <u>Sources</u>	
Tax credit equity	\$ 3,065,797
Permanent bonds	4,390,000
HFA subsidy	1,400,000
City loan	500,000

Fed. Home Loan Bank	1,500,000
Existing reserves	269,849
Deferred interest	151,200
Citibank subsidy	1,710,000
GP equity	484,028
Total	<u>\$13,470,874</u>

Construction will be underway in January 2015 and is expected to be completed in spring 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-383
(Int. No. 432)

Amending Ordinance No. 2012-246 regarding a property tax exemption and authorizing an amendatory in lieu of tax agreement for the Harris Park Apartments Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2012-246 is hereby amended to read as follows:

Ordinance No. 2012-246

Section 1. Pursuant to Section 577 of the New York State Private Housing Finance Law, the Council hereby exempts from real property taxes, for a period of ~~20~~ 32 years, the property at 72-136 Floverton Street, SBL #122.410-0001-006 ~~and 289 North Winton Road~~ SBL #122.41-1-10 to be owned by a housing development fund company to be formed by Conifer Realty, and to be used for housing as a part of the Harris Park Apartments Project.

Section 2. The Mayor is hereby further authorized to enter into an in-lieu-of-tax payment agreement for a period of ~~20~~ 32 years with the housing development fund company, whereby the owner shall be obligated to make annual tax and in-lieu-of-tax payments to the City of Rochester equal in total to at least 10% of its annual "shelter rent". "Shelter rent" shall equal gross rents less utility costs.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. The Mayor is hereby authorized to enter into an amendatory in lieu of tax agreement to implement the amendment authorized herein.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Ordinance No. 2014-384
(Int. No. 433)

Authorizing an amendatory loan agreement for the Harris Park Apartments Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory loan agreement for the Harris Park Apartments Project (the "Project"), amending the terms of the loan agreement authorized by Ordinances No. 2012-247 and 2013-229. The amended loan agreement shall extend the term of the loan agreement from a 20 year term to a 30 year term which shall commence at the date that the construction financing for the Project is converted to permanent financing. The amended loan agreement shall remain in the principal amount of \$500,000 with 1% interest payable annually. Payment of the principal shall be deferred until the end of the term. During the construction period, the loan shall be at 1% interest, payable annually.

Section 2. The amendatory loan agreement shall also approve the assignment of the interest and obligations of Harris Park/Winton Associates, LLC to Harris Park Preservation, LLC.

Section 3. The amendatory loan agreement shall also approve the assignment of the interest and obligations of Conifer Realty, LLC in Harris Park/Winton Housing Development Fund Company, Inc. (the "HDFC") to ISLA Housing and Development, Inc.

Section 4. The amendatory loan agreement shall also approve the subordination of the City's loan to the loans provided to the Project by the New York State Housing Finance Agency and Citibank.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-385
Re: Zoning Map Amendment - 151 Bernice Street

Council Priority: Jobs and Economic Development

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning 151 Bernice Street from R-1 (Low Density Residential District) to C-3 (Regional Center District). 151 Bernice and 55 Jessie Streets are contiguous parcels owned by the applicant, James Frederico. 55 Jessie Street is zoned C-3 and has a self storage facility that crosses the

property line onto 151 Bernice Street. Mr. Frederico wants to combine these two parcels into one property, which can only be accommodated if both parcels are located in the same zoning district.

The City Planning Commission held an informational meeting on this proposed rezoning on Monday, November 10, 2014. Two people spoke in support of the rezoning. By a vote of 5-0, the Planning Commission recommended approval; meeting minutes are attached.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-232

Ordinance No. 2014-385
(Int. No. 404)

Changing the zoning classification of 151 Bernice Street from R-1 Low Density Residential District to C-3 Regional Center District

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcels, constituting 151 Bernice Street from R-1 Low Density Residential District to C-3 Regional Center District.

**LEGAL DESCRIPTION OF LANDS
TO BE REZONED FROM R-1 TO C-3
#151 BERNICE STREET
T.A. #075.730-01-085**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 60, Township 1, Short Range, and being more particularly bounded and described as follows: Beginning at a point in the centerline of Bernice Street (60' ROW) at its intersection with the easterly extension of the north line of Lot 9 of the J.F. Bonesteel Heirs Subdivision, as filed in the Monroe County Clerk's Office in Liber 13 of Maps, Page 26, said intersection being the Point or Place of Beginning; thence

- 1) Westerly, along said extension and the north line of Lot 9, a distance of 174.2 feet, more or less, to the southeast corner of lands previously conveyed to Premier Food Corporation in Liber 1210 of Deeds, Page 234; thence
- 2) Northerly, along the east line of said lands of Premier Food Corporation, a distance of 250.0 feet to the northeast corner thereof; thence
- 3) Northwesterly, along the northerly line of said lands of Premier Food Corporation, a

distance of 207.5 feet, more or less, to the northwest corner thereof and the easterly line of the New York Central Railroad; thence

- 4) Northeasterly, along said east line of the New York Central Railroad, a distance of 575.0 feet, more or less, to the south line of lands previously conveyed by Holy Sepulchre Cemetery in Liber 2468 of Deeds, Page 315; thence
- 5) Easterly, along said south line and it's extension, a distance of 211.0 feet, more or less, to the said centerline of Bernice Street; thence
- 6) Southerly, along said centerline, a distance of 785 feet, more or less, to an angle point; thence
- 7) Southerly, continuing along said centerline, a distance of 103 feet, more or less, to the said extension of Lot 9 of the Bonesteel Heirs Subdivision, being the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-386

Re: Lease - 50 Chestnut Ventures, LLC,
Municipal Lot No. 2, 52 Broadway

Transmitted herewith for your approval is legislation related the lease of a municipal parking lot known as Municipal Lot No. 2, 52 Broadway. This legislation will:

- 1. Authorize the lease of Municipal Lot No. 2, 52 Broadway to 50 Chestnut Ventures, LLC, for a monthly rent of \$2,840 and for a term of three years with two one-year options for renewal; and
- 2. Authorize a sublease of Municipal Lot No. 2, 52 Broadway by 50 Chestnut Ventures, LLC, with a third-party to be identified, in order to share use of the parking lot and ensure full capacity at all hours of the day and night on weekdays and weekends.

The 71-space surface parking lot is owned by the Rochester Urban Renewal Agency. The parking lot was being used by Benderson Development Company, Inc. of Buffalo until their lease expired on October 31, 2014. Benderson leased the property since 1998 for tenants of the HSBC Building, which is owned by Benderson.

The City has received numerous inquiries about this lot from interested property owners whose buildings are in close proximity to this parking lot and who are experiencing parking shortages. These

inquiries led to the decision to offer the parking lot for lease via a request for proposal process.

Two proposals were received as a result of the RFP, and DHD Ventures Management Co. Inc. was selected partially because it ensures the parking lot will be used to near capacity during weekdays, weeknights and on weekends. DHD Ventures Management Co., Inc will be leasing the parking lot under an entity named 50 Chestnut Ventures, LLC. The only members of both entities are Thomas Masaschi and Jason Teller. The lease with 50 Chestnut Ventures, LLC will also facilitate the lease of a building on an adjoining lot by the University of Rochester, to establish a medical clinic and a blood draw lab at 454 E. Broad Street. 50 Chestnut Ventures, LLC will enter into a sublease with a company affiliated with the U of R lease to allow day time parking for the doctors, nurses, technicians and patients/visitors to the medical clinic. 50 Chestnut Ventures, LLC will have use of the parking lot in the evenings and on weekends for its commercial/residential tenants in nearby buildings presently being renovated for residential/mixed use.

The annual lease payment to RURA will be \$34,080, up from \$23,940 previously paid by Benderson Development. The rent was determined by an independent appraisal completed by Kevin L. Bruckner, MAI of the firm of Bruckner, Tillett, Rossi, Cahill & Associates on August 23, 2014. 50 Chestnut Ventures, LLC will be responsible for all expenses associated with operating the lot, including utilities, snow plowing, and all maintenance and repairs to the lot.

A public hearing is required on the lease of this Urban Renewal Agency property.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-233

Ordinance No. 2014-386
(Int. No. 405)

Approving a lease by the Rochester Urban Renewal Agency to 50 Chestnut Ventures, LLC of property at 52 Broadway in the Midtown Urban Renewal District

WHEREAS, the Rochester Urban Renewal Agency (hereinafter called "Agency") has received a proposal from DHD Ventures LLC on behalf of its affiliate 50 Chestnut Ventures, LLC (hereinafter called "Lessee"), for the lease of property at 52 Broadway in the Midtown Urban Renewal District to be used for parking, for a term of three years, with two one -year options for renewal; and

WHEREAS, a monthly rental price of \$2,840 has been established by the Secretary of the Agency; and

WHEREAS, the City Council, pursuant to Article 15 of the General Municipal Law, has held a

public hearing on December 16, 2014 to consider the proposed lease of said parcel by the Agency; and

WHEREAS, it was determined:

1. That the Agency has designated the Lessee in accordance with its rules, criteria and procedures for the selection and designation of a Lessee as a qualified and eligible sponsor;
2. That the use of said parcel by the Lessee and the terms of the lease for said parcel are satisfactory;
3. That lease of said land by negotiation is the appropriate method of making the land available;
4. That the Lessee possesses the qualifications and financial resources necessary to lease the parcel in accordance with the Urban Renewal Plan and is a qualified and eligible sponsor;
5. That the proposed rental price is a satisfactory price and not less than the fair value of the parcel for use in accordance with the Urban Renewal Plan;
6. That the proposed lease complies with the provisions of Articles 15 and 15A of the General Municipal Law; and
7. That the lease of said parcel is satisfactory.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council approves the designation of the Lessee by the Agency as a qualified and eligible sponsor to lease the parcel.

Section 2. The Council hereby approves the method and lease of said parcel by the Agency to said Lessee.

Section 3. The Council hereby authorizes the lease of said parcel by the Agency for the proposed rent in accordance with the provisions of Title I of the Housing Act of 1949, as amended, and Articles 15 and 15A of the General Municipal Law.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 419
Re: Code Amendment - Comprehensive Plan,
Center City Master Plan

Council Priority: Creating and Sustaining a
Culture of Vibrancy

Transmitted herewith for your approval is legislation amending Chapter 130: Comprehensive Plan

of the Municipal Code by deleting, in its entirety, Section 130-6 (9) Center City Master Plan, and replacing it with the newly updated Center City Master Plan document contained herein.

The 2014 Center City Master Plan updates and replaces the 2003 Center City Master Plan. The new plan is a strategic document intended to help decision-makers, citizens, investors, and visitors understand downtown Rochester.

The plan will help prioritize City projects, and inform other public entities involved in downtown Rochester. It will also assist efforts to secure public and private funding that supports the City's priorities; will cross-reference the City's Capital Improvement Plan (an essential planning document); and, will suggest where public and private investment could best leverage existing assets. The Center City Master Plan will achieve this in a clear, concise, and easily understood document and website.

The update process for this plan began in earnest in late 2012. Public engagement began in January 2013 with focus group meetings that included downtown residents, business associations, and professional groups. A general open house was held at City Hall and an online survey was created that received over 3,000 responses. Over the course of 2013, public input was compiled and the first draft of the document was prepared. This draft was released in November 2013 when another round of public meetings was held in each of the four quadrants and an open house was conducted downtown. The Center City Master Plan is a living document which is intended to undergo regular updates to best capture the needs of our community and continue the resurgence of investment downtown.

The City Planning Commission will hold an informational meeting on this proposed Comprehensive Plan Amendment on Monday, December 8, 2014; results of that hearing will be submitted to Council immediately following completion.

Pursuant to the requirements of Article 8 of the New York State Environmental Conservation Law and Chapter 48 of the City Code, the Mayor, as lead agency, has determined that the proposed action will not result in any significant effects and has issued a negative declaration.

A public hearing is required for the Comprehensive Plan Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 419

**AMENDING THE COMPREHENSIVE
PLAN BY ADOPTING THE NEW CENTER
CITY MASTER PLAN**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves and adopts the Center City Master Plan 2014, a copy of which is on file in the Office of the City Clerk.

Section 2. Section 130-6 of the Municipal Code is hereby amended by deleting in its entirety the current subsection (9) and substituting a new subsection (9) to read as follows:

(9) The Center City Master Plan 2014, a copy of which is on file in the Office of the City Clerk.

Section 3. This ordinance shall take effect immediately.

New text is underlined

Held in Committee.

By Councilmember Haag
December 16, 2014

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

Int. No. 406 - Authorizing a professional services agreement with Stantec Consulting Services, Inc. for the Central Vehicle Maintenance Facility Compressed Natural Gas Emergency Generator Project

Int. No. 408 - Authorizing a professional services agreement with Stantec Consulting Services, Inc. for the 937-941 Genesee Street Brownfield Clean-up Project and appropriating funds

Int. No. 409 - Authorizing agreements for services related to hazardous materials management

Int. No. 410 - Authorizing an agreement with Optimization Technology, Inc. for the upgrading of process automation controls at the Hemlock Lake Water Filtration Plant

Int. No. 411 - Authorizing agreements for the East Henrietta Road Improvements Project (Rochester City Line to Stan Yale Drive)

Int. No. 422 - Authorizing agreements and appropriating funds for the 2016 Federal Aid Preventive Maintenance Project on Ames Street, Buffalo Road, West Main Street and West Avenue

Int. No. 423 - Authorizing agreements and appropriating funds for the 2016 Federal Aid Preventive Maintenance Project on Goodman Street and South Clinton Avenue

Int. No. 424 - Authorizing agreements and appropriating funds for the 2016 Federal Aid Preventive Maintenance Project on North Goodman Street, East Main Street, University Avenue, Allen Street, Brown Street, Morrie Silver Way and Wilder Street

Int. No. 425 - Authorizing agreements and ap-

propriating funds for the 2017 Federal Aid Preventive Maintenance Project on Central Park, Cleveland Street, Draper Street, Browncroft Boulevard and Merchants Road

Int. No. 426 - Authorizing agreements and appropriating funds for the 2017 Federal Aid Preventive Maintenance Project on Arnett Boulevard, Genesee Park Boulevard and Webster Avenue

The following entitled legislation is being held in Committee:

Int. No. 407 - Authorizing agreements and appropriating funds for the Brooks Landing Phase II Public Improvements Project

Int. No. 416 - Authorizing an agreement with the Plymouth/Exchange Neighborhood Association, Inc. (PLEX) for civic engagement services related to the Vacuum Oil South Genesee River Brownfield Opportunity Area Project

Respectfully submitted,
Matt Haag
Elaine M. Spaul
Michael A. Patterson
Dana K. Miller
Loretta C. Scott
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-387
Re: Agreement - Stantec Consulting Services, Inc., Central Vehicle Maintenance Facility's Compressed Natural Gas Emergency Generator

Transmitted herewith for your approval is legislation establishing \$55,000 as maximum compensation for an agreement with Stantec Consulting Services, Inc., Rochester, New York, for engineering services for the Central Vehicle Maintenance Facility's Compressed Natural Gas Emergency Generator. The cost of the agreement will be financed from the 2014-15 Cash Capital allocation of the Department of Environmental Services. The agreement may extend until six months after completion and acceptance of the construction of the project.

The consultant will provide design services required for the installation of an emergency generator including, but not limited to, mechanical, electrical, commissioning and resident project representation services. Stantec Consulting Services, Inc. was selected for this project through a request for proposal process, which is described in the attached summary.

Design services will begin in spring 2015 and construction will begin in fall 2015, with completion in winter 2015. The project will result in the creation and/or retention of the equivalent of three full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-234

Ordinance No. 2014-387
(Int. No. 406)

Authorizing a professional services agreement with Stantec Consulting Services, Inc. for the Central Vehicle Maintenance Facility Compressed Natural Gas Emergency Generator Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$55,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Stantec Consulting Services, Inc. for engineering services for the Central Vehicle Maintenance Facility Compressed Natural Gas Emergency Generator Project. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. Said amount shall be funded from \$55,000 of the 2014-15 Cash Capital allocation of the Department of Environmental Services.

Section 2. The agreement shall contain such other terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-388
Re: Agreement - Stantec Consulting Services, Inc., 937-941 Genesee Street Brownfield Cleanup Project

Transmitted herewith for your approval is legislation related to environmental cleanup services at 937-941 Genesee Street (the Site). This legislation will:

1. Appropriate \$200,000 of United States Environmental Protection Agency (USEPA) Brownfield Cleanup Grant funds awarded to the City for the purpose of financing a portion of the cleanup at the Site; and
2. Establish \$220,000 as maximum compensation for an agreement with Stantec Consulting Services, Inc. (Stantec), Rochester, New York, for remedial cleanup services.

The cost of the agreement will be financed from \$180,000 in USEPA Brownfield Cleanup Grant funds appropriated above and \$40,000 in Prior Years' Cash Capital allocation of the Department of Environmental Services. The balance of the

grant appropriation, \$20,000, will be used to reimburse the City for staff and supply costs required to conduct the project.

The Site consists of a 0.25± acre parcel located at 937-941 (also known as 937) Genesee Street and is owned by the City. It is currently vacant and does not contain any structures or buildings; however, it does contain masonry floor slabs and foundation systems which were not removed during demolition, and two small asphalt paved areas remain on the north and eastern portions of the property. The Site is zoned Brooks Landing Urban Renewal District. Currently, commercial and residential parcels surround the subject property. Former commercial or industrial uses of the Site include auto repair and an underground gasoline storage tank, and a laundry and small dry cleaning plant that operated on the western portion of the Site.

A Phase I Environmental Site Assessment (ESA) was completed by Stantec in September 2012. Stantec also completed a limited Phase II ESA in 2011 and a Supplemental Phase II ESA in 2012. The results of the Phase II ESAs documented the presence of volatile organic compounds (VOCs) in sediment, soil, and groundwater at the Site. The VOCs appeared to be associated with the petroleum products potentially including gasoline and Stoddard Solvent, a petroleum-based dry cleaning solvent. The City notified the New York State Department of Environmental Conservation (NYSDEC) of the environmental conditions, and on July 8, 2011, the NYSDEC opened a petroleum spill file for the Site. In order to be eligible for USEPA cleanup grant funding, the City acquired the Site via foreclosure in November 2012. In November 2012 the City submitted a cleanup grant application to the USEPA for the Site, and in May 2013 the agency awarded the City \$200,000 in grant funds to assist with the cleanup the Site.

Under this agreement, Stantec will evaluate potential remedial alternatives, prepare a remedial work plan, assist the City with community outreach activities, retain specialized environmental contractors to remediate the Site, including contaminated soil removal, conducting post-remediation groundwater monitoring and interim restoration of the Site. After completing the cleanup project and one year of post-cleanup groundwater monitoring, the City will petition the NYSDEC to close the active spill file and issue a No Further Action Letter. Detailed development plans for the Site have not been developed. However, potential uses of the Site will be consistent with the Brooks Landing Urban Renewal District, and may include a combination of commercial, multi-family residential, or mixed-use development with parking areas.

On May 23, 2014, the City's Division of Environmental Quality issued a request for proposal (RFP) for remedial cleanup services for City-owned properties, the summary of which is attached. Stantec is recommended based on the quality and scope of its proposal, experience with petroleum cleanup projects, the proposed project team, and reasonableness of its cost.

The term of the agreement is three years and will extend until the NYSDEC closes the open spill file for the Site. Adjustment to the specific unit prices in the agreement during the second and third year will be permitted under the agreement. It is currently estimated that it will take one year to complete the majority of the remedial cleanup and a second year of groundwater monitoring in order to secure NYSDEC spill file closure.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-235

Ordinance No. 2014-388
(Int. No. 408)

Authorizing a professional services agreement with Stantec Consulting Services, Inc. for the 937-941 Genesee Street Brownfield Cleanup Project and appropriating funds

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$200,000 is hereby appropriated from grant funds awarded to the City by the United States Environmental Protection Agency to fund the costs of the 937-941 Genesee Street Brownfield Cleanup Project. The Mayor is hereby authorized to enter into an agreement for the receipt and use of said funds.

Section 2. The sum of \$220,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Stantec Consulting Services, Inc. for the 937-941 Genesee Street Brownfield Cleanup Project. The agreement shall have a term of three years and may be extended until the New York State Department of Environmental Conservation closes the open spill file for this site. Said amount shall be funded from \$40,000 of Prior Years Cash Capital allocation of the Department of Environmental Services and \$180,000 of the United States Environmental Protection Agency funding appropriated herein.

Section 3. The agreements shall contain such other terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-389
Re: Agreements- Hazardous Materials
Services

Transmitted herewith for your approval is legislation authorizing agreements with the following companies for the provision of various services

related to hazardous materials management:

<u>Firm Name</u>	<u>Address</u>
New York Environmental Technologies, Inc. (NYETECH)	Rochester, New York
MATRIX Environmental Technologies, Inc.	Orchard Park, New York
Nothnagle Drilling, Inc.	Scottsville, New York
Op-Tech	Rochester, New York
Trec Environmental	Spencerport, New York
Genesee Environmental	Rochester, New York

The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary, other departments using the services or from capital funds appropriated for specific environmental projects.

The City routinely has a need for various services related to the identification, disposal and remediation of hazardous materials. These services include:

1. Testing and characterization of wastes
2. Preparation, transportation and disposal of hazardous materials
3. Removal of wastes routinely generated at City facilities, discovered on properties and right-of-ways owned by the City, or identified by the Rochester Fire Department
4. Removal of underground storage tanks from development parcels
5. Emergency cleanup of spills
6. Asbestos, lead and mold abatement
7. Remediation of property contamination

Agreements for these services have been used with area environmental contractors since 1992, most recently in December 2010 (Ord. No. 2010-432).

The firms were selected through a request for proposal process, which is described in the attached summary.

The services will be provided at specific unit prices. The selection of the specific company to provide the services will be based upon the type of services required and the ability of the firm to perform the services within the time specified by the City.

The agreements will be for two years, with the option of two one-year renewals.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-236

Ordinance No. 2014-389
(Int. No. 409)

Authorizing agreements for services related to hazardous materials management

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for services related to hazardous materials management as required by the City:

- Firm Name
- New York Environmental Technologies, Inc. (NYETECH)
- MATRIX Environmental Technologies, Inc.
- Nothnagle Drilling, Inc.
- Op-Tech
- Trec Environmental
- Genesee Environmental

Section 2. The agreements shall extend for a term of two years with two optional one-year renewals, and shall obligate the City to pay unit prices in an amount not to exceed the amount budgeted for each project, which shall be funded from the annual Budget of the Department of Environmental Services, or other Departments using these services, or from capital project appropriations. Unit prices may be adjusted at the discretion of the City Engineer upon satisfactory justification by the consultant.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-390
Re: Agreement - Optimization Technology, Inc.,
Upgrade Process Automation Controls

Transmitted herewith for your approval is legislation establishing \$325,000 as maximum compensation for an agreement with Optimization Technology, Inc., with corporate offices in Rush, New York and manufacturing in Rochester, New York, for upgrading 11 control panels at the Hemlock Water Filtration Plant. The cost of this agreement will be funded from 2011-12 (\$9,204.84), 2012-13 (\$156,421) and 2013-14 (\$159,374.16) Cash Capital allocations (Water Fund) of the Department of Environmental Services. The term of the agreement will be for two years.

The City of Rochester Water Bureau has a 48 million gallon per day water filtration plant at the north

end of Hemlock Lake, which was constructed in 1993. The automation systems at this facility incorporate Allen-Bradley PLC-5 programmable logic controllers (PLCs). The manufacturer of these PLCs has announced that the PLCs will be obsolete at the end of this year. These PLCs are installed in control panels that also have discrete operator interfaces such as switches, annunciators and analog displays. Optimization Technology will upgrade these 11 control panels by replacing each PLC-5 with a newer Rockwell PLC and replace the discrete operator interface device at each control panel with a flat panel Human Machine Interface (HMI) terminal.

Optimization Technology was selected through a request for proposal process, as described in the attached summary, based on the quality of their proposal, their relevant experience in control systems for water utilities, their site visit, proposed schedule and low costs. Optimization Technology has previously worked at the filtration plant and our staff was pleased with their professional work at that time.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-237

Ordinance No. 2014-390
(Int. No. 410)

Authorizing an agreement with Optimization Technology, Inc. for the upgrading of process automation controls at the Hemlock Lake Water Filtration Plant

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$325,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement with Optimization Technology, Inc for the upgrading of process automation controls at the Hemlock Lake Water Filtration Plant for a term of two years. Said amount shall be funded from the Department of Environmental Services Cash Capital allocation (Water Fund) as follows: FY 2011-12, \$9,204.84; FY 2012-13, \$156,421; and FY 2013-14, \$159,374.16.

Section 2. The agreement shall contain such other terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-391
Re: East Henrietta Road Improvements
(South City Line to Stan Yale Drive)

Transmitted herewith for your approval is legislation related to the East Henrietta Road Improvements from the South City Line to Stan Yale Drive. This legislation will:

1. Authorize agreements with Anthony J. Costello & Son Development ("Costello") necessary to participate in the project, and
2. Authorize agreements with the New York State Department of Transportation (NYS-DOT) necessary to participate in and administer the project.

The City will partner with NYSDOT and Costello to reconstruct East Henrietta Road from the South City Line to Stan Yale Drive. The improvements will improve access to Costello's CityGate project, a 45-acre mixed-use development located at the southeast corner of East Henrietta and Westfall Roads.

This project will reconstruct East Henrietta Road to create a continuous five-lane road. Presently, there is a five-lane road section at the north entrance (Stan Yale Drive) into CityGate, which transitions to four lanes for a distance of approximately 500' and then returns to five lanes, creating an hourglass effect on traffic flow. To mitigate this situation, the project will include the reconstruction of a new five-lane road with granite curbing, underdrain, driveway aprons, signage and striping, catch basins, concrete sidewalks, Americans with Disabilities Act compliant ramps, and topsoil and seeding.

Total project cost is estimated to be \$1,447,000. Grant proceeds from the Federal Highway Administration in an amount equal to \$571,000 will fund a portion of construction costs and the balance of construction funds, to the extent of maximum project costs, will be funded by the City. The appropriation of those funds will be requested in future legislation. At project completion, Costello will reimburse the City for the City's share of the construction costs. Costello's obligation to reimburse the City shall be secured by an irrevocable letter of credit in form and substance approved by Corporation Counsel.

This project is being coordinated with the NYSDOT's East Henrietta Road five-lane replacement bridge over the Erie Canal, which will include widening of the road and support the overall I-390 interchange improvements. These two projects will create a continuous five-lane road and improve traffic flow through this area.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-391
(Int. No. 411)

Authorizing agreements for the East Henrietta Road Improvements Project (Rochester City Line to Stan Yale Drive)

BE IT ORDAINED, by the Council of the City

of Rochester as follows:

Section 1. The Council hereby approves City participation in and administration of the East Henrietta Road Improvements Project (Rochester City Line to Stan Yale Drive) hereinafter called the "Project".

Section 2. The Mayor is hereby authorized to enter into such agreements with the New York State Department of Transportation and to sign such other documents as may be necessary for the City to participate in and administer the Project and for the receipt and use of \$571,000 of Federal Highway Administration Funding for the Project.

Section 3. The Mayor is hereby authorized to enter into an agreement with Anthony J. Costello & Son Development LLC for the City to administer the Project and for the receipt and use of funding for the Project. The agreement shall provide that, at project completion, Anthony J. Costello & Son Development LLC shall reimburse the City for the City share of the construction costs.

Section 4. The agreements and documents shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-392
Re: Agreement- Hunt Engineers, Architects
& Land Surveyors, P.C., Design Services,
2016 Preventive Maintenance Group
No. 2 Project

Transmitted herewith for your approval is legislation related to 2016 Federal Aid Preventive Maintenance Project at four locations. This legislation will:

1. Authorize agreements with the New York State Department of Transportation (NYS-DOT) necessary to participate in and administer the project.
2. Appropriate \$92,800 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the design services.
3. Establish \$140,000 as maximum compensation for an agreement with Hunt Engineers, Architects & Land Surveyors, P.C. for design services related to this project. The cost of the agreement will be funded from the FHWA anticipated reimbursements appropriated herein (\$92,800) and 2014-15 Cash Capital allocation of the Department of Environmental Services (\$47,200).

This federal aid project, administered by the City

under agreement with the NYSDOT includes four locations:

- Ames Street (West Avenue to Maple Street);
- Buffalo Road (Mt. Read Boulevard to West Avenue);
- West Main Street (York Street to Chuchlea Place);
- West Avenue (Grover Street to York Street).

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and expand the useful life of the pavement structure.

This federal aid project, administered by the City through NYSDOT, is identified in the City's current Capital Improvement Program under T-2 Street Rehabilitation, Pavement Preventive. The estimated cost of construction is \$1,754,000. The City is qualified to receive up to 80% of the eligible project costs from the FHWA with the remaining 20% being a local share.

Hunt Engineers was selected for design services through a request for proposal process, which is described in the attached summary.

Design services will begin in winter 2014; it is anticipated that construction will begin in spring 2016 with scheduled completion in fall 2016. The design phase of this project results in the creation or retention of the equivalent of 1.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-238

Ordinance No. 2014-392
(Int. No. 422)

Authorizing agreements and appropriating funds for the 2016 Federal Aid Preventive Maintenance Project on Ames Street, Buffalo Road, West Main Street and West Avenue

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation to participate in and administer the 2016 Federal Aid Preventive Maintenance Project on Ames Street, Buffalo Road, West Main Street and West Avenue.

Section 2. The sum of \$92,800 is hereby appropriated from funds to be received from the Federal Highway Administration to finance the 2016 Fed-

eral Aid Preventive Maintenance Project on Ames Street, Buffalo Road, West Main Street and West Avenue.

Section 3. The sum of \$140,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Hunt Engineers, Architects and Land Surveyors, P.C. for design services for the 2016 Federal Aid Preventive Maintenance Project on Ames Street, Buffalo Road, West Main Street and West Avenue. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount shall be funded by \$92,800 from funds to be received from the Federal Highway Administration appropriated herein and by \$47,200 from the 2014-15 Cash Capital allocation of the Department of Environmental Services.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-393
Re: Agreement - Stantec Consulting Services, Inc., Design Services, 2016 Preventive Maintenance Project

Transmitted herewith for your approval is legislation related to the 2016 Federal Aid Preventive Maintenance Project at two locations. This legislation will:

1. Authorize agreements with the New York State Department of Transportation (NYSDOT) necessary to participate in and administer the project.
2. Appropriate \$93,588 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the design services and City administrative design services.
3. Establish \$195,000 as maximum compensation for an agreement with Stantec Consulting Services, Inc. for design services related to this project. The cost of the agreement will be funded from the FHWA reimbursements appropriated herein (\$89,520), 2013-14 Cash Capital allocation of the Department of Environmental Services (\$37,380) and New York State Multi-Modal Grant appropriated under Ordinance No. 2007-389 (\$68,100).

This federal aid project, administered by the City under agreement with the NYSDOT includes two locations:

- Goodman Street (Broadway to East Avenue);

- South Clinton Avenue (Byron Street to South City Line).

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and extend the useful life of the pavement structure. NYS Multi-Modal funding will support the South Clinton Avenue enhancement features including decorative crosswalks and curbed bump-outs throughout the corridor. Existing light poles will be upgraded with decorative fixtures, pedestrian level lights and banners. NYSDOT has modified the Multi-Modal grant from the original request, changing the limits from Byron Street to Goodman Street, to Byron Street to the South City Line, and removing the curbed islands at select intersections and stamped, colored concrete sidewalks at the Goodman Street intersection.

This federal aid project, administered by the City through NYSDOT, is identified in the City's current Capital Improvement Program under T-2 Street Rehabilitation, Pavement Preventive. The estimated cost of construction is \$1,770,000. The City is qualified to receive up to 80% of the eligible project costs from the FHWA with the remaining 20% being a local share.

Stantec Consulting Services, Inc. was selected for design services through a request for proposal process, which is described in the attached summary.

Design services will begin in winter 2014; it is anticipated that construction will begin in spring 2016 with scheduled completion in fall 2016. The design phase of this project results in the creation or retention of the equivalent of 2.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-239

Ordinance No. 2014-393
(Int. No. 423)

Authorizing agreements and appropriating funds for the 2016 Federal Aid Preventive Maintenance Project on Goodman Street and South Clinton Avenue

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation to participate in and administer the 2016 Federal Aid Preventive Maintenance Project on Goodman Street and South Clinton Avenue.

Section 2. The sum of \$93,588 is hereby appropriated from funds to be received from the Federal Highway Administration to finance the 2016 Federal Aid Preventive Maintenance Project on Goodman Street and South Clinton Avenue.

Section 3. The sum of \$195,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Stantec Consulting Services, Inc. for design services for the 2016 Federal Aid Preventive Maintenance Project on Goodman Street and South Clinton Avenue. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount shall be funded by \$89,520 from funds to be received from the Federal Highway Administration appropriated herein and by \$37,380 from the 2013-14 Cash Capital allocation of the Department of Environmental Services and by \$68,100 from the New York State Multi-Modal Grant appropriated under Ordinance 2007-389.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-394
Re: Agreement- Erdman Anthony, Design Services, 2016 Preventive Maintenance Group No. 3 Project

Transmitted herewith for your approval is legislation related to 2016 Federal Aid Preventive Maintenance Project at seven locations. This legislation will:

1. Authorize agreements with the New York State Department of Transportation (NYS-DOT) necessary to participate in and administer the project.
2. Appropriate \$305,000 in anticipated reimbursements from the New York State Multi-Modal program to finance a portion of the design services and construction costs associated with the proposed improvements to the North Goodman and East Main Streets intersection.
3. Appropriate \$191,200 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the design services and City administrative design services.
4. Appropriate \$35,815 in anticipated reimbursements from the New York State Marchiselli Aid Program to finance a portion of the design services and City administrative de-

sign services.

5. Establish \$289,000 as maximum compensation for an agreement with Erdman Anthony for design services related to this project. The cost of the agreement will be funded from 2014-15 Cash Capital allocation of the Department of Environmental Services (\$44,250), and the following anticipated reimbursements appropriated herein: FHWA (\$180,000), NYS Multi-Modal (\$31,000), and NYS Marchiselli Aid (\$33,750).

This federal aid project, administered by the City under agreement with the NYSDOT includes seven locations:

- North Goodman Street (Conrail to Garson Avenue);
- East Main Street (North Clinton Avenue to North Goodman Street);
- University Avenue (East Main Street to North Union Street);
- Allen Street (Brown Street to Morrie Silver Way);
- Brown Street (West Main Street to State Street)
- Morrie Silver Way (Oak Street to State Street);
- Wilder Street (Grape Street to Brown Street).

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and extend the useful life of the pavement structure. NYS Multi-Modal funding (\$305,000) will support the reconfiguration of the East Main and North Goodman Streets intersection to make it accommodate all modes of travel in a manner that is consistent with neighborhood context and supportive of community goals by installing raised medians on streets of the intersection.

This federal aid project, administered by the City through NYSDOT, is identified in the City's 2015-16 Capital Improvement Program under T-2 Street Rehabilitation, Pavement Preventive. The City is qualified to receive up to 80% of the eligible project costs from the FHWA with the remaining 20% being a local share. The Multi-Modal intersection improvements are funded in the 2014-15 Capital Improvement Program, E-3 Neighborhood Development Program. The total estimated cost of construction is \$4,282,000.

Erdman Anthony was selected for design services through a request for proposal process, which is described in the attached summary.

Design services will begin in winter 2014; it is anticipated that construction will begin in spring 2016 with scheduled completion in fall 2016. The design phase of this project results in the creation or retention of the equivalent of 2.1 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-240

Ordinance No. 2014-394
(Int. No. 424)

Authorizing agreements and appropriating funds for the 2016 Federal Aid Preventive Maintenance Project on North Goodman Street, East Main Street, University Avenue, Allen Street, Brown Street, Morrie Silver Way and Wilder Street

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation to participate in and administer the 2016 Federal Aid Preventive Maintenance Project on North Goodman Street, East Main Street, University Avenue, Allen Street, Brown Street, Morrie Silver Way and Wilder Street.

Section 2. The sum of \$191,200 is hereby appropriated from funds to be received from the Federal Highway Administration to finance a portion of the costs of the 2016 Federal Aid Preventive Maintenance Project on North Goodman Street, East Main Street, University Avenue, Allen Street, Brown Street, Morrie Silver Way and Wilder Street.

Section 3. The sum of \$305,000 in anticipated reimbursements from the New York State Multi-Modal program is hereby appropriated to finance a portion of the cost of North Goodman Street and East Main Street intersection improvements.

Section 4. The sum of \$38,815 in anticipated reimbursements from the New York State Marchiselli Aid program is hereby appropriated to finance a portion of the costs of the 2016 Federal Aid Preventive Maintenance Project on North Goodman Street, East Main Street, University Avenue, Allen Street, Brown Street, Morrie Silver Way and Wilder Street.

Section 5. The sum of \$289,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Erdman Anthony & Associates, Inc. for design services for the 2016 Federal Aid Preventive Maintenance Project on North Goodman Street, East Main Street, University Avenue, Allen Street, Brown Street, Morrie Silver Way and Wilder Street. The agreement may extend until three (3) months after completion of a two year guarantee inspection of

the project. Said amount shall be funded by \$180,000 from funds to be received from the Federal Highway Administration appropriated herein, and by \$44,250 from the 2014-15 Cash Capital allocation of the Department of Environmental Services, and by \$31,000 from the anticipated reimbursements from New York State Multi-Modal program appropriated herein, and by \$ 33,750 from the anticipated reimbursements from the New York State Marchiselli Aid program appropriated herein.

Section 6. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 7. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-395

Re: Agreement- LaBella Associates, P.C.,
Design Services, 2017 Preventive
Maintenance Group No. 4 Project

Transmitted herewith for your approval is legislation related to 2017 Federal Aid Preventive Maintenance Project at five locations. This legislation will:

1. Authorize agreements with the New York State Department of Transportation (NYS-DOT) necessary to participate in and administer the project.
2. Appropriate \$125,493 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the design services.
3. Establish \$170,000 as maximum compensation for an agreement with LaBella Associates, P.C. for design services related to this project. The cost of the agreement will be funded from the anticipated FHWA reimbursements appropriated herein (\$125,493) and 2013-14 Cash Capital allocation of the Department of Environmental Services (\$44,507).

This federal aid project, administered by the City under agreement with the NYSDOT includes five locations:

- Central Park (Portland Avenue to North Goodman Street);
- Cleveland Street (Hudson Avenue to North Street);
- Draper Street (North Street to Portland Avenue);
- Browncroft Boulevard (Newcastle Road to East City Line);

- Merchants Road (Browncroft Boulevard to Culver Road).

Street improvements will include milling and resurfacing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and extend the useful life of the pavement structure.

This federal aid project, administered by the City through NYSDOT, is identified in the City's current Capital Improvement Program under T-2 Street Rehabilitation, Pavement Preventive. The estimated cost of construction is \$2,399,000. The City is qualified to receive up to 80% of the eligible project costs from the FHWA with the remaining 20% being a local share.

LaBella Associates, P.C. was selected for design services through a request for proposal process, which is described in the attached summary.

Design services will begin in winter 2014; it is anticipated that construction will begin in spring 2017 with scheduled completion in fall 2017. The design phase of this project results in the creation or retention of the equivalent of 1.8 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-241

Ordinance No. 2014-395
(Int. No. 425)

Authorizing agreements and appropriating funds for the 2017 Federal Aid Preventive Maintenance Project on Central Park, Cleveland Street, Draper Street, Browncroft Boulevard, and Merchants Road

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation to participate in and administer the 2017 Federal Aid Preventive Maintenance Project on Central Park, Cleveland Street, Draper Street, Browncroft Boulevard, and Merchants Road.

Section 2. The sum of \$125,493 is hereby appropriated from funds to be received from the Federal Highway Administration to finance the 2017 Federal Aid Preventive Maintenance Project on Central Park, Cleveland Street, Draper Street, Browncroft Boulevard, and Merchants Road.

Section 3. The sum of \$170,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and LaBella

Associates, P.C. for design services for the 2017 Federal Aid Preventive Maintenance Project on Central Park, Cleveland Street, Draper Street, Browncroft Boulevard, and Merchants Road. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount shall be funded by \$125,493 from funds to be received from the Federal Highway Administration appropriated herein and by \$44,507 from the 2013-14 Cash Capital allocation of the Department of Environmental Services.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-396
Re: Agreement - C&S Companies,
Inc., Design Services, 2017
Preventive Maintenance Group
No. 5 Project

Transmitted herewith for your approval is legislation related to 2017 Federal Aid Preventive Maintenance Project at three locations. This legislation will:

1. Authorize agreements with the New York State Department of Transportation (NYS-DOT) necessary to participate in and administer the project.
2. Appropriate \$126,557 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the design services.
3. Establish \$165,000 as maximum compensation for an agreement with C&S Companies, Inc. for design services related to this project. The cost of the agreement will be funded from the FHWA anticipated reimbursements appropriated herein (\$126,557) and 2013-14 Cash Capital allocation of the Department of Environmental Services (\$38,443).

This federal aid project, administered by the City under agreement with the NYSDOT includes three locations:

- Arnett Boulevard (Thurston Road to Genesee Street);
- Genesee Park Boulevard (Brooks Avenue to Arnett Boulevard);
- Webster Avenue (Garson Avenue to Bay Street);

Street improvements will include milling and resur-

facing of the pavement; spot curb replacements; installation or upgrade of sidewalk curb ramps; adjustment and repair of manholes, receiving basins, and water valve castings; and replacement of traffic markings. These improvements will enhance the surface drainage and riding quality of the roadway, improve handicap accessibility, and extend the useful life of the pavement structure.

This federal aid project, administered by the City through NYSDOT, is identified in the City's current Capital Improvement Program under T-2 Street Rehabilitation, Pavement Preventive. The estimated cost of construction is \$2,531,000. The City is qualified to receive up to 80% of the eligible project costs from the FHWA with the remaining 20% being a local share.

C&S Companies, Inc. was selected for design services through a request for proposal process, which is described in the attached summary.

Design services will begin in winter 2014; it is anticipated that construction will begin in spring 2017 with scheduled completion in fall 2017. The design phase of this project results in the creation or retention of the equivalent of 1.8 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-242

Ordinance No. 2014-396
(Int. No. 426)

Authorizing agreements and appropriating funds for the 2017 Federal Aid Preventive Maintenance Project on Arnett Boulevard, Genesee Park Boulevard and Webster Avenue

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation to participate in and administer the 2017 Federal Aid Preventive Maintenance Project on Arnett Boulevard, Genesee Park Boulevard and Webster Avenue.

Section 2. The sum of \$126,557 is hereby appropriated from funds to be received from the Federal Highway Administration to finance the 2017 Federal Aid Preventive Maintenance Project on Arnett Boulevard, Genesee Park Boulevard and Webster Avenue.

Section 3. The sum of \$165,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and C&S Companies, Inc. for design services for the 2017 Federal Aid Preventive Maintenance Project on Arnett Boulevard, Genesee Park Boulevard and Webster Avenue. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. Said amount

shall be funded by \$126,557 from funds to be received from the Federal Highway Administration appropriated herein and by \$38,443 from the 2013-14 Cash Capital allocation of the Department of Environmental Services.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Haag moved to discharge Int. No. 407 from Committee.

The motion was seconded by Councilmember Palumbo.

Adopted unanimously.

Councilmember Haag moved to amend Int. No. 407.

The motion was seconded by Councilmember Palumbo.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2014-397
 Re: Brooks Landing Phase II Public
 Improvements

Council Priority: Creating and Sustaining a
 Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Brooks Landing Phase II Public Improvements project. This legislation will:

1. Authorize the acceptance of \$60,000 in Marchiselli funds from the New York State Department of Transportation (NYSDOT) to finance project construction and resident project representation (RPR); and
2. Establish \$135,000 as maximum compensation for an agreement with T.Y. Lin International, Rochester, New York, for RPR services. The term of the agreement may extend until three months after a two-year guarantee inspection of the project.

Phase I of the Brooks Landing public improvements, completed in 2008, included the design and construction of a riverfront promenade, transient boater wharf, a public plaza and streetscape enhancements along South Plymouth Avenue. Phase II will include park and public right-of-way improvements including: realignment/reconstruction of the remnant portion of South Plymouth Avenue to right-size it for its new park context; provide parking; establish a one-way southbound connection from the north; install park gateway enhancements; improve existing, and install new, asphalt and stone dust trails; add wayfinding, interpretative and orientation signage; perform vegetation management; provide landscaping; and create additional site amenities. Phase II will also include a public call for artists, a juried selection process, and the fabrication and installation of the selected art.

T.Y. Lin International was selected for RPR services based on its familiarity with the project. Justification for not issuing a request for proposal is attached.

Construction, RPR and public art will be funded as follows:

<u>Funding</u>	<u>Construction</u>	<u>RPR</u>	<u>Contingency</u>	<u>Art</u>	<u>Total</u>
Federal	\$306,400	\$ 40,000			\$ 346,400
NYS Marchiselli	53,000	7,000			60,000
NYS DOS	234,087	32,000		\$175,000	441,087
City bond	277,012				277,012
City Cash Capital	<u>10,501</u>	<u>56,000</u>	<u>\$58,499</u>		<u>125,000</u>
Total	\$881,000	\$135,000	\$58,499	\$175,000	\$1,249,499

Construction, RPR and contingencies will be funded from previous appropriations from NYS Department of State (\$266,087), NYSDOT (\$346,400), and City bonds (\$277,012) via Ordinance Nos. 2007-182 and 2007-183; Marchiselli funds appropriated herein (\$60,000); and Prior Years' Cash Capital allocation of the Department of Environmental Services (\$125,000). Public art will be funded from previously appropriated NYS Department of

State (\$175,000) funds (Ord. No. 2007-182).

Park and right-of-way improvement construction is scheduled to commence in spring 2015 and be completed in fall 2015. The project construction and RPR will result in the creation and/or retention of the equivalent of eleven full-time jobs.

The public art process is anticipated to begin in winter 2014-15 with a public call for artists, followed by the selection of art work in summer 2015, and its fabrication and installation completed fall 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-243

Ordinance No. 2014-397
(Int. No. 407, as amended)

Authorizing agreements and appropriating funds for the Brooks Landing Phase II Public Improvements Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation for the receipt and use of \$60,000 in Marchiselli grant funds for the Brooks Landing Phase II Public Improvements Project, and said amount is hereby appropriated for this purpose.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement between the City and T.Y. Lin International for resident project representation services for the Brooks Landing Phase II Public Improvements Project. The maximum amount of the agreement shall be \$135,000. Said amount shall be funded by \$40,000 of Federal Highway Administration grant funds appropriated in Ordinance 2007-183; by \$32,000 of New York State Department of State grant funds appropriated in Ordinance 2007-183; by \$7,000 of Marchiselli grant funds appropriated herein; and by \$56,000 of ~~prior years~~ 2013-14 Cash Capital of the Department of Environmental Services. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmember's Haag,

McFadden, Ortiz, Palumbo, Patterson Spaul - 7.

Nays - Councilmember Miller - 1.

TO THE COUNCIL
Ladies and Gentlemen:

Introductory No. 416
Re: Agreement - Plymouth/Exchange
Neighborhood Association, Inc.,
Civic Engagement Services

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation establishing \$44,000 as maximum compensation for an agreement with the Plymouth/Exchange Neighborhood Association, Inc. (PLEX) for civic engagement services related to the Vacuum Oil South Genesee River Brownfield Opportunity Area (BOA). The cost of the agreement will be financed from \$40,000 in anticipated BOA grant reimbursements previously appropriated via Ordinance No. 2014-253 and \$4,000 from Prior Years' Cash Capital allocation of the Department of Environmental Services. The agreement will have an initial term of two years with provision for an additional one-year extension if the project duration and scope require additional services.

The New York State Department of State BOA program provides funding to assist municipalities and community-based organizations with the costs of inventorying brownfields, completing area-wide planning approaches to brownfields redevelopment, and studying key brownfield sites. BOA grants provide funding for up to 90% of eligible project costs.

Under the BOA program, the City prepared a preliminary Vacuum Oil South Genesee River BOA master plan in 2013. The PLEX Neighborhood Association had significant involvement in the development of the BOA master plan and in the engagement of the community in the planning process.

Over the next two years, the City will complete several predevelopment studies and investigations focused on environmental cleanup and future redevelopment of areas within the Vacuum Oil South Genesee River BOA. Once the studies and investigations are complete, a generic environmental impact statement will be prepared. In addition to these activities, the City has entered into the New York State Department of Environmental Conservation Brownfield Cleanup Program (BCP) for properties within the BOA. Under the proposed agreement PLEX will provide important public participation and engagement assistance related to the City's BOA and BCP projects.

At various points during the above mentioned projects, the City will request outreach and engagement services from PLEX. These services may include one or more of the following activities:

- 1) Door to door distribution of flyers
- 2) Direct telephone contacts
- 3) Website updates
- 4) Business contacts
- 5) E-mail distribution
- 6) Regular membership meetings
- 7) PLEX block club summit
- 8) Special outdoor events
- 9) Post cards
- 10) Surveys

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 416

AUTHORIZING AN AGREEMENT WITH THE PLYMOUTH/EXCHANGE NEIGHBORHOOD ASSOCIATION, INC. (PLEX) FOR CIVIC ENGAGEMENT SERVICES RELATED TO THE VACUUM OIL SOUTH GENESEE RIVER BROWNFIELD OPPORTUNITY AREA PROJECT

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$44,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement with the Plymouth/ Exchange Neighborhood Association, Inc. (PLEX) for civic engagement services related to the Vacuum Oil South Genesee River Brownfield Opportunity Area Project. The agreement shall have a term of two years with a one year renewal option. Said amount shall be funded from \$4,000 of the Prior Years Cash Capital allocation of the Department of Environmental Services and \$40,000 from the anticipated Brownfield Opportunity Area grant reimbursements appropriated in Ordinance No. 2014-253.

Section 2. The agreement shall contain such other terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Held in Committee.

By Councilmember McFadden
December 16, 2014

To the Council:

The Public Safety, Youth & Recreation Committee recommends for adoption the following entitled legislation:

Int. No. 412 - Appropriating funds for Operation Transformation Rochester

Int. No. 413 - Authorizing an agreement with the Dormitory Authority of the State of New York for receipt and use of a grant and amending the 2014-15 Budget

Int. No. 427 - Authorizing an amendatory professional services agreement for medical bill review services

Int. No. 349 - Authorizing an agreement for a Bomb Squad Initiative Grant

Respectfully submitted,
Matt Haag
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION
COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-398
Re: Operation Transformation Rochester

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation related to Operation Transformation Rochester. This legislation will:

- 1. Appropriate \$30,600 from the Job Creation/Youth Development program of the General Community Needs Allocation of the 2014-15 Consolidated Community Development Plan for Operation Transformation Rochester, and
- 2. Amend the 2014-15 Budget of the Department of Recreation and Youth Services by \$30,600 from the funds appropriated herein.

A maximum of 10 youth, ages 15-19, will be placed in positions in various City Departments as part of the Operation Transformation Rochester (OTR) program. The youth will gain valuable work experience, learn customer service, and increase their marketable skills by assisting with departmental operations, special projects and office activities. The appropriation requested above will pay for youth positions under the job title of "Youth Worker", and allow up to 15 hours per week of work from January 1 through June 30, 2015. After that date, the Youth Workers may continue in their positions by transitioning to the Summer of Opportunity Program, depending upon funding availability.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AN-244

Ordinance No. 2014-398
(Int. No. 412)

Appropriating funds for Operation Transformation Rochester

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$30,600 is hereby appropriated from the Job Creation/Youth Development Program of the General Community Needs allocation of the 2014-15 Consolidated Community Development Plan to fund the costs of Operation Transformation Rochester.

Section 2. Ordinance No. 2014-160, the 2014-15 Budget is hereby amended by increasing the revenue estimates and appropriations of the Department of Recreation and Youth Services by \$30,600.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-399
Re: Grant Agreement - Dormitory Authority of the State of New York, Playground Improvements

Transmitted herewith for your approval is legislation related to upgrades at the Clinton/Baden playground. This legislation will:

1. Authorize an agreement with the Dormitory Authority of the State of New York for the receipt and use of a \$250,000 State and Municipal Facilities Program grant award;
2. Amend the 2014-15 Cash Capital allocation of the Department of Recreation and Youth Services to reflect receipt of the grant.

The grant will be utilized for new apparatus, a new safety surface, landscaping and other amenities at the Clinton/Baden Playground. Construction is expected to be completed by June 30, 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-399
(Int. No. 413)

Authorizing an agreement with the Dormitory Authority of the State of New York for receipt and use of a grant and amending the 2014-15 Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Dormitory Authority of the State of New York (DASNY) for receipt and use of \$250,000 of funding under the State and Municipal Facilities Program for a project at the Clinton/Baden Playground.

Section 2. The agreement shall contain such

additional terms and conditions as the Mayor deems to be appropriate.

Section 3. Ordinance No. 2014-160, the 2014-15 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and the Cash Capital allocation of the Department of Recreation and Youth Services by the sum of \$250,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-400
Re: Amendatory Agreement - MCN Quad Health Services, Inc., Police Medical Bill Review

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with MCN Quad Health Services, Inc. to provide temporary medical bill review for the Rochester Police Department (RPD). This amendment would increase the current one-year agreement by \$5,000, to a total of \$15,000, and will be funded from the 2014-15 Budget of the Police Department

In January 2014, the RPD employee that processed the medical bills of the Department's injured employees left City employment. The medical bills need to be reviewed for accuracy and proper pricing, without which, none can be processed. At the time of the employee's departure, RPD began looking into outsourcing this task because it requires an increased level of expertise with specific knowledge that is continuously updated. Since this was an urgent matter, a one-year agreement with MCN Quad Health Services, Inc. for temporary medical bill review was executed in April 2014 for an amount up to \$10,000.

The intention was to have this contract cover the time period needed to establish a medical management agreement. Unfortunately, the funds needed to maintain timely medical bill review has exceeded the \$10,000. In order to keep current on the payment of medical bills, RPD proposes increasing the agreement with MCN Quad Health Services, Inc. by \$5,000. Meanwhile, RPD plans to present an agreement for medical management to Council in April 2015.

The term of the agreement will remain in effect for one year, ending in April 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-400
(Int. No. 427)

Authorizing an amendatory professional services agreement for medical bill review services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and MCN Quad Health Services, Inc. for medical bill review services for the Rochester Police Department. The amendment shall increase maximum compensation by \$5,000 to total maximum of \$15,000. Said amount shall be from the 2014-15 Budget of the Police Department. The term of the agreement shall be for one year.

Section 2. The agreement shall contain such other terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Introductory No. 349 was introduced October 14, 2014 and appears in its original form with its transmittal letter on page 344 of the current Council Proceedings.

Ordinance No. 2014-401
(Int. No. 349)

Authorizing an agreement for a Bomb Squad Initiative Grant

Passed unanimously.

By Councilmember Spaul
December 16, 2014

To the Council:

The Arts & Culture Committee recommends for adoption the following entitled legislation:

Int. No. 414 - Authorizing a grant agreement for the Clarissa Street Reunion and amending the Budget

Respectfully submitted,
Elaine M. Spaul
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2014-402
Re: Clarissa Street Reunion

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the Clarissa Street Reunion. This legislation will:

1. Authorize the receipt and use of a \$5,000 grant from the New York State Office of Parks, Recreation and Historic Preservation for the Clarissa Street Reunion;
2. Amend the 2014-15 Budget of the Bureau of Communications to reflect said grant; and
3. Authorize an agreement with the Clarissa Street Reunion Committee for the use of these funds.

The Clarissa Street Reunion has taken place annually for the past nineteen years. This event brings thousands of current and former residents, families, and friends together for a full day of festivities, including parades, food, music and other activities.

This \$5,000 grant was included in the 2014-15 New York State budget through the efforts of Assemblyman David F. Gantt. These funds will be used to reimburse the Clarissa Street Reunion Committee for the 2014 event. This agreement is for a one-year term.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2014-402
(Int. No. 414)

Authorizing a grant agreement for the Clarissa Street Reunion and amending the Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for receipt and use of \$5,000 to be used for funding for the Clarissa Street Reunion. The agreement shall be for a term not to exceed one year.

Section 2. Ordinance No. 2014-160, 2014-15 Budget of the Bureau of Communications is amended to increase the revenue estimates and appropriations by \$5,000, the amount of the grant.

Section 3. The Mayor is hereby authorized to enter into an agreement with the Clarissa Street Reunion Committee in an amount not to exceed \$5,000 to be used to reimburse costs of the Clarissa Street Reunion. The agreement shall be for a term not to exceed one year. The agreement shall be funded by \$5,000 from the 2014-15 Budget of the Bureau of Communications.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

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Section 5. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 8:25 p.m.

HAZEL L. WASHINGTON
City Clerk

* * * * *

ITEMS HELD IN COMMITTEE AS OF
DECEMBER 31, 2014

Held February 15, 2014

Int. No. 53 - Changing the traffic flow on Dunn Street between Hudson Avenue and Roser Street from two-way to westbound one-way Parks & Public Works Committee

Held March 25, 2014

Int. No. 74 - Establishing maximum compensation for a professional services agreement for engineering services for the Rochester Police Department Special Operations Building Parks & Public Works Committee

Held May 20, 2014

Int. No. 172 - Approving geometric changes to South Plymouth Avenue, as amended Parks & Public Works Committee

Held June 17, 2014

Int. No. 204 - Authorizing an agreement for the youth mentorship and empowerment program Public Safety, Youth & Recreation Committee

Held July 22, 2014

Int. No. 253 - Approving a grant application to the State Education Department for funding under the Statewide Universal Full-Day Prekindergarten Program Finance Committee

Held September 16, 2014

Int. No. 305 - Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,265,000 bonds of said City to finance the cost of the East End (Metro Center) Parking Garage Rehabilitation Project Parks & Public Works Committee

Held October 14, 2014

Int. No. 334 - Amending Section 90-16 of the Municipal Code with respect to certificates of occupancy Neighborhood & Business Development Committee

Int. No. 340 - Changing the zoning classification of 151 and 157 York Street from R-1 Low Density Residential District to M-1 Industrial District Neighborhood & Business Development Committee

Int. No. 348 - Amending the 2014-15 Budget and appropriating forfeiture funds and authorizing agreements Public Safety, Youth & Recreation Committee

Int. No. 352 - Authorizing an agreement for Artists Residencies at Recreation Centers Arts & Culture Committee

Held November 12, 2014

Int. No. 373 - Amending the Official Map by renaming Mortimer Street between St. Paul Street and North Clinton Avenue as RTS Way Parks & Public Works Committee

Int. No. 388 - Amending the 2008-09, 2011-12 and 2012-13 Consolidated Community Development Plans and appropriating funds and authorizing agreements for the Owner-Occupant Roofing Program Neighborhood & Business Development Committee

Held December 16, 2014

Int. No. 416 - Authorizing an agreement with the Plymouth/Exchange Neighborhood Association, Inc. (PLEX) for civic engagement services related to the Vacuum Oil South Genesee River Brownfield Opportunity Area Project Parks & Public Works Committee

Int. No. 419 - Amending the Comprehensive Plan by adopting the new Center City Master Plan Neighborhood & Business Development Committee

**INDEX 2014
ABBREVIATIONS**

Acq. - Acquire, Acquisition	L.I.O. - Local Improvement Ordinance
Adj. - Adjourned	L.L. - Local Law
Admin. - Administration	Lftd. - Lifted
Adpt. - Adopt, Adopted	Litig. - Litigation
Amend. - Amendatory, Amending, Amendment	Maint. - Maintenance
Appl. - Application(s)	Max. - Maximum
Approp. - Appropriate, Appropriating	Mgr. - Manager
Approv. - Approving	Mun. - Municipal
Appt(s). - Appoint, Appointment(s)	Ofc. - Office
Assist. - Assistance	Off. - Official
Auth. - Authority, Authorize	Ord. - Ordinance
Bldg. - Building	Pav. - Pavement
CHDO - Community Housing Development Organization	Pk. - Park
Class. - Classification	Proj. - Project
Comm. - Commercial, Commission, Committee, Community	Pssd. - Passed
Comp. - Compensation	Pub. - Public
Constr. - Construction	Purch. - Purchase
Ctr. - Center	R.E. - Real Estate
Demon. - Demonstration	R.O.W. - Right-of-Way
Designa. - Designate	Rec. - Recreation
Dev. - Development	Rehab. - Rehabilitate, Rehabilitation
Dist. - District	Rej. - Reject
Est(s). - Estimate(s)	Renew. - Renewal
Ext. - Extension	Resi. - Residential
Facil. - Facilities	Reso. - Resolution
FY - Fiscal Year	Rev. - Revenue
Gar. - Garage	Roch. - Rochester
Gov. - Government	Svs. - Services
Hear. - Hearing	Tbld. - Tabled
Incr. - Increase	Tech. - Technology
Indus. - Industrial	Tr. - Transmittal
Int. - Introduced, Introductory	Var. - Various
	Wid. - Width
	Zon. - Zoning

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STRONG MUSEUM

Approv. sale by Roch. Urban Renewal Agency to Margaret Woodbury Strong Museum of portion of property known as 47 Savannah St. in Southeast Loop Urban Renewal Dist. and approp. amend. lease agreement with Thyroff Tennis, LLC and approp. temporary easement on portion of 47 Savannah St., Tr. letter, 90, Pssd., 91

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Auth. professional svcs. agreement with Sector 4 Community Dev. Corp. to assist City in completing Brownfield Opportunity Area (BOA) Nomination Study, Tr. letter, 399, Pssd., 399

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Auth. loan agreement and grant agreement for 34 Stutson St. renovation proj., Tr. letter, 135, Pssd., 135

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Auth. agreement with T.Y. Lin International Group for resident proj. representation svcs. for Elk St. Group Reconstruction and Rehab. Proj. and approp. funds, Tr. letter, 309, Pssd., 310

Auth. amend. professional svcs. agreement with T.Y. Lin Intl. for East End Parking Garage Rehab. Proj., Tr. letter, 366, Pssd., 368

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Auth. property tax exemption and auth. in-lieu-of tax agreement for Eastman Gardens Proj., Tr. letter, 297, Pssd., 299

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THYROFF TENNIS, LLC

Approv. sale by Roch. Urban Renewal Agency to Margaret Woodbury Strong Museum of portion of property known as 47 Savannah St. in Southeast Loop Urban Renewal Dist. and approv. amend. lease agreement with Thyroff Tennis, LLC and approv. temporary easement on portion of 47 Savannah St., Tr. letter, 90, Pssd., 91

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TRIGYN TECHNOLOGIES, INC.

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-U-**USA PAYROLL, INC.**

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UNDERWRITERS LABORATORIES, INC.

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Auth. amend. grant agreement and amend. agreements for Comprehensive Adolescent Pregnancy Prevention Program, Tr. letter, 280, Pssd., 281

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Approv. sale by Roch. Urban Renewal Agency to Margaret Woodbury Strong Museum of portion of property known as 47 Savannah St. in

Southeast Loop Urban Renewal Dist. and approv. amend. lease agreement with Thyroff Tennis, LLC and approv. temporary easement on portion of 47 Savannah St., Tr. letter, 90, Pssd., 91

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-W-**WXXI PUBLIC BROADCASTING COUNCIL**

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Changing Zoning Map classification Of Parcels on Scio St., N. Union St., E. Main St., Lynchhurst St., Weld St., Woodward St., Ontario St.,

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Auth. amend. grant agreement and amend. agreements for Comprehensive Adolescent Pregnancy Prevention Program, Tr. letter, 280, Pssd., 281

Auth. agreements for Teenage Pregnancy Prevention Program, Tr. letter, 281, Pssd., 282

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Changing zoning class. of 375, 405, and 415-425 W. Ridge Rd. and 1760 Dewey Ave. from Eastman Business Park Planned Dev. District (PD #12) to C-3 Regional Ctr. District, Tr. letter, 43, Pub. hear., 29, Held, 44, Pssd., 71

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Changing zoning class. of 151 and 157 York St. from R-1 Low Density Resi. Dist. to M-1 Industrial Dist., Tr. letter, 338, Pub. hear., 325, Held, 339

Changing zoning class. of 15 McArdle St. from R-1 Low Density Resi. Dist. to M-1 Industrial Dist., Tr. letter, 362, Pub. hear., 349, Pssd., 363

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cels on Scio St., N. Union St., E. Main St., Lyndhurst St., Weld St., Woodward St., Ontario St., Lewis St., Augusta St. and Davis St. from O-S Open Space, R-2 Medium Density Residential, C-2 Community Ctr., CCD-M Center City Dist. Main St. and M-1 Industrial to Marketview Heights Urban Renewal Dist. ("District") to apply additional Urban Renewal Dist. requirements while maintaining zoning regulations previously applicable to respective O-S, R-2, C-2, CCD-M and M-1 portions of said Dist., Tr. letter, 402, Pub. hear., 382, Pssd., 407

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Amend. Chapter 120 of Mun. Code, Zoning Code, with regard to minor text amendments to Planned Dev. District No. 1 Holy Redeemer, Tr. letter, 201, Pub. hear., 176, Pssd., 202

Amend. Chapter 120 of Mun. Code, Zoning Code, with regard to minor text amend. regarding membership of Proj. Review Committee, Tr. letter, 228, Pub. hear., 216, Pssd., 229

Amend. Chapter 120 of Mun. Code, Zoning Code, with regard to appt. of alternate members to certain boards and commissions, Tr. letter, 294, Pub. hear., 288, Pssd., 296

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