

**Additional Proposed Legislation for the
March 21, 2023 City Council Meeting -**

*** * Please Note * ***

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



City of Rochester

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

Malik D. Evans
Mayor

**FINANCE
INTRODUCTORY NO.**

103

March 3, 2023 FINANCE 26

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Haylor, Freyer & Coon, Inc.
Insurance Broker Services

Council Priority: Deficit Reduction and Long Term
Financial Stability

Transmitted herewith for your approval is legislation authorizing an agreement with Haylor, Freyer & Coon, Inc., (Principal, Steven G. DeRegis, Vice President), 231 Salina Meadows, Syracuse, New York 13221, for insurance broker services. The term of this agreement will be for three years, with an option for two one-year renewals. Compensation is provided to the broker by the insurance company that underwrites policies carried by the City. The last agreement for insurance broker services was authorized in April 2018 via Ordinance 2018-88.

Compensation of agents (or brokers) is regulated by NYS Insurance Laws (#2101, 2314 and 2324), which prevent agents and brokers from “netting” premium and replacing commissions with a fee, especially as it relates to placing coverage. Standard commission rates are typically in the range of 10% to 15%. The average commission received from the insurance carriers will be approximately 12% of the premium paid.

Premiums for existing policies total \$928,240 in 2022-23. Premiums for the six City-owned parking garages \$349,327, are paid directly by the Parking Bureau. The remaining premiums are paid by the Budget of Undistributed.

Respectfully submitted,

Malik D. Evans
Mayor

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103

Ordinance No.

Authorizing an agreement for insurance broker 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 with Haylor, Freyer & Coon, Inc. for insurance broker services for a term of three years with two one-year extension options.

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

Section 3. This ordinance shall take effect immediately.



**FINANCE
INTRODUCTORY NO.**

104

March 3, 2023 FINANCE 27

TO THE COUNCIL

Ladies and Gentlemen:

Re: Agreement – Capital Markets Advisors, LLC, Fiscal Advisor Services

Council Priority: Deficit Reduction and Long Term Financial Fiscal Stability

Transmitted herewith for your approval is legislation authorizing an agreement with Capital Markets Advisors, LLC (Orchard Park, NY), Richard Ganci, Executive Vice President, for fiscal advisory services related to the issuance of debt instruments by the City of Rochester. The term of the agreement will be for three years with provision for two one-year renewal periods. Compensation will be on a fee-basis, not to exceed \$100,000 annually. The cost will be funded from the 2023-24 and subsequent annual Budgets of the Finance Department, contingent upon their approval.

To finance various capital projects, the City annually issues or reissues \$125 million to \$200 million in bond anticipation notes and/or bonds. In addition, the City may occasionally issue short-term debt in the form of revenue anticipation notes or tax anticipation notes to finance the short-term cash requirements of the City School District, depending on the timing of receipt of New York State Aid funds.

Under the proposed agreement, Capital Markets Advisors, LLC will provide the following services:

- Financial planning and analysis
- Marketing activities
- Document preparation and review
- Debt offering verifications and communications
- Material event disclosures

The fees for services will be limited to the following:

- Negotiated and competitively sold bonds \$20,500 for each bond issue
- Negotiated and competitively sold notes \$12,500 for each note issue;
- Services unrelated to a specific note or bond issue Hourly rate of \$175
- Material event disclosures \$2,500 per year

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Out-of-pocket expenses for items such as printing of preliminary and final official statements, legal advertising, mailing, etc. will be billed at actual cost.

The consultant has been informed of the Living Wage. The Department of Finance will ensure compliance.

Respectfully submitted,

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

Malik D. Evans
Mayor

104

Ordinance No.

Authorizing an agreement for fiscal advisory 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 with Capital Markets Advisors, LLC for fiscal advisory services related to the issuance of debt instruments by the City of Rochester. The agreement shall have a maximum annual compensation of \$100,000. The term of the agreement shall be three years, with two one-year extension options. The compensation shall be funded from the 2023-24 and subsequent fiscal years' Budgets of the Department of Finance, contingent upon their approval.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

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Malik D. Evans
Mayor

**FINANCE
INTRODUCTORY NO.**

105

February 28, 2023

MAYOR 21

TO THE COUNCIL

Ladies and Gentlemen:

Re: Appropriation - American Rescue Plan Act and Agreement,
Subrecipient Monitoring and Evaluation Services

Council Priority: Deficit Reduction and Long Term Financial
Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity
and Growth

Transmitted herewith for your approval is legislation to related to monitoring and evaluation services for the American Rescue Plan Act (ARPA). This legislation will:

1. Appropriate \$454,100 in ARPA funds to support monitoring and evaluation of ARPA-funded projects and subrecipients.
2. Amend the 2022-23 Budget of the Mayor's Office to reflect a portion of the appropriation authorized herein. The remaining funds will be anticipated and included in the 2023-24 Budget of the Mayor's Office, contingent upon approval.
3. Authorize an agreement with Bronner Group, LLC (Don Davis, Director of Professional Services, Chicago, Illinois) for the implementation, evaluation, and results measurement of programs that have been funded with ARPA dollars, with a focus on programs involving subrecipient agencies. The term of the agreement shall be two years and the cost of the agreement will be \$454,090 to be funded by the 2022-23 (\$227,045) and 2023-24 (\$227,045) Budgets of the Mayor's Office.

This project is an eligible use of ARPA funding under the Final Rule Expenditure Category 7.1 Administrative Expenses.

The City has appropriated ARPA funds for approximately 50 projects, and many of these projects utilize external agencies as implementation partners or subrecipients. Bronner Group, LLC will partner with the City to develop and implement an overall City of Rochester ARPA subrecipient monitoring plan and program evaluation. Services will include the creation and maintenance of an inventory of subrecipients for ARPA funded projects; quantitative and qualitative data collection and analysis to evaluate compliance and program achievements; and regular reporting that reflects analysis of qualitative and quantitative data, subrecipient adherence to Treasury guidelines, subrecipient program achievements, outcomes, and impacts, and provide recommendations for program improvement where appropriate.

Bronner Group, LLC was selected through a Request for Proposals (RFP) process. A Vendor Selection Form is attached.

Respectfully submitted,

Malik. D. Evans
Mayor

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INTRODUCTORY NO.

105

Ordinance No.

Appropriating funds, amending the 2022-23 Budget and authorizing an agreement to obtain subrecipient monitoring and evaluation services for programs funded by the American Rescue Plan Act

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

Section 1. The Council hereby appropriates \$454,100 in funds provided to the City by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to monitor, evaluate, and measure the results of programs funded with ARPA dollars, including those programs involving subrecipient agencies (the Project).

Section 2. Ordinance No. 2022-157, the 2022-23 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Office of the Mayor by \$227,050, which amount is hereby appropriated from the ARPA funds allocated in Section 1 herein.

Section 3. The Mayor is hereby authorized to enter into a professional services agreement with Bronner Group, LLC to implement the Project. The agreement shall have a term of two years. The maximum compensation for the agreement shall be \$454,090, which shall be funded in the amounts of \$227,045 from the 2022-23 Budget of the Office of the Mayor and \$227,045 from the 2023-24 Budget of the Office of the Mayor, contingent upon the approval of the latter Budget.

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

Section 5. This ordinance shall take effect immediately.



106

March 7, 2023 IT 28

TO THE COUNCIL

Ladies and Gentlemen:



Re: Amendment to Appropriation - American Rescue Plan Act and Amendatory Agreements, Accounts Receivable Enterprise Solution

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Growth

Transmitted herewith for your approval is legislation related to the funding to procure and implement an enterprise Accounts Receivable and Utility Billing software solution to replace three critical Mainframe systems. This legislation will:

1. Authorize an assignment of the existing Software as a Service (SaaS) agreement with Infor Public Sector, Inc. (Infor) as authorized pursuant to Ordinance No. 2021-265 and amended in Ordinance No. 2022-361, [Kevin Samuelson, CEO, 641 Avenue of the Americas, New York, NY 10011] to Infor (U.S.) LLC.
2. Amend Council Ordinance No. 2022-361 to authorize the agreement with Infor (U.S.) LLC \$760,015 rather than Infor Public Sector, Inc. (Infor), [Kevin Samuelson, CEO, 641 Avenue of the Americas, New York, NY 10011]. All material terms will remain the same.

The assignment of the agreement and amendment of the prior ordinance are necessary due to funding source requirements imposed by the American Rescue Plan Act of 2021 (ARPA), which was previously approved for this project. Following approval of the agreement with Infor, it was discovered in the course of contract negotiations that its subsidiary, Infor (U.S.) LLC, was better suited to meet the City's needs with respect to ARPA reporting and compliance. As such, the assignment of the prior agreement and amendment of the prior ordinance were determined by the Law Department to be necessary.

Infor will provide software licensing and VIP will provide implementation services including project management, data migration, system configuration, process refinement, and end user training. A request for proposals was not issued for these services as Infor Public Sector serves as the City's current permitting, licensing, and code enforcement system and includes cashiering and financial configuration that is currently integrated with the City's financial system. VIP currently serves as the implementor for the existing Infor solutions in use at the City and has unique knowledge of the City's current configuration of the solution. The initial contracts with Infor Public Sector, Inc. and Visionary Integration Professionals, LLC for the Infor implementation were authorized by Council Ordinance 2021-265. It was anticipated that implementation of the new modules will begin in January 2023, and that the modules will be implemented in stages through January 2025. The balance of the appropriation will be included in future budgets of the Department of Information Technology, contingent upon their approval, for maintenance costs.

Respectfully submitted,

Malik D. Evans
Mayor

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INTRODUCTORY NO.

106

Ordinance No.

Authorizing an assignment and amending Ordinance No. 2022-361 related to Accounts Receivable and Utility Billing software

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 assign all rights, obligations, and duties of Infor Public Sector, Inc. under the agreement authorized by Ordinance No. 2021-265 to its subsidiary, Infor (U.S.) LLC. The assignment shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 2. Section 3 of Ordinance No. 2022-361, appropriating American Rescue Plan Act Funds and authorizing amendatory agreements related to accounts receivable and utility billing software, is hereby amended as follows:

Section 3. The Mayor is hereby authorized to enter into an amendatory agreement with ~~Infor Public Sector, Inc.~~ Infor (U.S) LLC to provide software licensing for the Project. The amendatory agreement shall modify the existing agreement that was authorized by Ordinance No. 2021-265 to increase the maximum compensation by \$760,015 to a new maximum total of \$3,221,744. The amendatory compensation shall be funded by \$200,000 from ARPA funding appropriated in Section 1 herein, by \$131,217 from Prior Years Cash Capital, by \$214,399 from the 2024-25 Budget of the Department of Information Technology (IT) and by \$214,399 from the 2025-26 Budget of IT contingent upon approval of said future budgets.

Section 3. This ordinance shall take effect immediately.

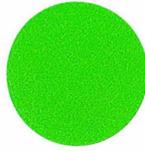




107

March 7, 2023

LIBRARY 25



TO THE COUNCIL

Ladies and Gentlemen:

Re: Utility Use License – Greenlight Networks

Council Priority: Rebuilding and Strengthening
Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing
Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing a license agreement authorizing Greenlight Networks, LLC (1777 East Henrietta Road, Henrietta) to use non-public space in the basement of Arnett Branch Library at 310 Arnett Boulevard as a connection point for expanding its fiber internet network service into the surrounding neighborhood.

The use will be restricted to an approximately six-foot square portion of the Arnett Branch’s utility room to establish a point of presence (PoP) site that Greenlight will use to extend its fiber internet network service to more 19th Ward for residential accounts. Greenlight will be responsible for installing and maintaining the PoP facility, including any necessary electrical improvements, and shall compensate the City/Library for the PoP’s sites share of the building’s electricity consumption. The Library will provide access to the space, separated from public operations.

Greenlight will pay an annual license fee of \$2,500, a rate approved as being fair by the Director of Real Estate. The term of the license will be five years with the option to extend the term for an additional period of 5 years.

Respectfully submitted,

Malik D. Evans
Mayor

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INTRODUCTORY NO.

107

Ordinance No.

Authorizing a license agreement for the use of utility space in the Arnett Branch Library to establish and operate a fiber internet network Point of Presence site

WHEREAS, the City of Rochester has received a proposal from Greenlight Networks, LLC to use an approximately six-foot by six-foot space in the basement utility room of the Arnett Branch Library to establish and operate a Point of Presence (PoP) site that will enable Greenlight to expand its fiber internet network service to additional residences in the 19th Ward;

WHEREAS, the use would be authorized for a term of five years with the option to extend the term for an additional term of five years; and

WHEREAS, in accordance with Section 21-23 of the Municipal Code, the Council hereby finds that the term of the use is reasonable and necessary in light of its intended purpose and the public will benefit throughout the term of the use.

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

Section 1. The Mayor is hereby authorized to enter into a license agreement with Greenlight Networks, LLC to establish and operate at Greenlight's sole cost and expense a Point of Presence (PoP) site connection to Greenlight's fiber internet network in an approximately six-foot by six-foot space in the basement of the Arnett Branch Library, 310 Arnett Boulevard, for a term of five years with the option to extend the term for an additional term of five years. Greenlight shall pay an annual fee of \$2,500 for the use license and shall compensate the City or Library for the PoP's share of the Library's electricity consumption.

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

Section 3. This ordinance shall take effect immediately.



City of Rochester

City Hall Room, 30 Church Street
Rochester, New York 14614-1284
www.cityofrochester.gov

Malik D. Evans
Mayor

INTRODUCTORY NO.

108

March 16, 2023

33WBD

TO THE COUNCIL

Ladies and Gentlemen:

Re: Message of Necessity –
Continuing the ARPA Senior Meals Program

We are submitting this Message of Necessity with the attached legislation to allow the Council to take up on March 21 legislation authorizing the City to extend the operation of the Senior Meals Program for an additional 6 months. That Program was authorized in Ordinance No. 2021-353 and is funded by an appropriation of \$5,379,800 in funds from the City's American Rescue Plan Act of 2021 (ARPA). The prior ordinance authorized a professional services agreement with Goodwill of the Finger Lakes, Inc. (Goodwill) to manage the intake of meal orders and to assign them to meal providers through Goodwill's 211/LIFE LINE service. That agreement expired on February 28.

The present legislation is necessary to extend the term and increase the compensation for Goodwill to continue its management of the Program for an additional 6 months. As described in the accompanying transmittal, continuing the Program is necessary to serve seniors and compensate meal providers who are suffering the lingering effects of the covidvirus pandemic and its aftermath. It will also help offset the impact of the Federal government's recent termination of its temporary emergency covidvirus allotment of additional SNAP food stamp benefits.

Respectfully submitted,

Malik D. Evans
Mayor

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City of Rochester

City Hall Room 308A, 30 Church Street
Rochester, New York 14614-1290
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INTRODUCTORY NO.

Malik D. Evans
Mayor

108

March 16, 2023

33NBD

TO THE COUNCIL

Ladies and Gentlemen:

Re: Extending Senior Meals Program--
Amendatory Agreement

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing
Strong Neighborhoods

Transmitted herewith for your approval is legislation extending the operation of the Senior Meals Program (Program) for an additional six months. The Program as authorized in Ordinance No. 2021-353 and funded by an appropriation of \$5,379,800 in funds from the City's American Rescue Plan Act of 2021 (ARPA) grant, provides free meals to city senior citizens in need. The Program is implemented by engaging a variety city restaurants, caterers and other meal providers to prepare and distribute the meals and by engaging Goodwill of the Finger Lakes, Inc. (Goodwill) to manage the intake of meal orders and assignment of those orders to meal providers through Goodwill's 211/LIFE LINE program.

This legislation authorizes an amendatory professional services agreement with Goodwill to continue its Program coordination services for an additional six months through August 31, 2023 and to increase the maximum compensation for doing so by \$68,500 for a new total of \$205,500. The amendatory compensation to Goodwill and the additional compensation required to compensate meal providers for six additional months will be funded from the original appropriation of ARPA funds to the Project authorized in Ordinance No. 2021-353. The Program ARPA funds for this purpose have been appropriated to the 2022-23 Budget of the Department of Neighborhood and Business Development.

Since its commencement in March of 2022, the Program has engaged the services of 27 meal providers to provide approximately 57,000 meals to approximately 1,600 seniors. Extending the Program for an additional six months is necessary to serve seniors and compensate meal providers who are suffering the lingering effects of the covidvirus pandemic and its aftermath. The lingering effects are exacerbated by the fact that the Federal government is terminating the temporary boost of food stamp benefits (Supplemental Nutritional Assistance Program or SNAP) that had been put in place in response to the covidvirus pandemic.

Respectfully submitted,

Malik D. Evans
Mayor



INTRODUCTORY NO.

108

Ordinance No.

Authorizing an amendatory agreement for the Senior Meals 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 professional services agreement with Goodwill of the Finger Lakes, Inc. to continue to manage the meal order intake and logistics for the Senior Meals Program. The amendatory agreement shall amend the existing agreement authorized in Ordinance No. 2021-353 by extending the term for an additional 6 months and by increasing the maximum compensation by \$68,500 to a new total of \$205,500. The amendatory compensation shall be funded from the 2022-23 Budget of the Department of Neighborhood and Business Development.

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

Section 3. This ordinance shall take effect immediately.