

ROCHESTER CITY COUNCIL

REGULAR MEETING

August 22, 2023

Present – President Meléndez, Councilmember Gruber, Harris, Lightfoot, Lupien, Martin, Patterson, Peo, Smith – 9.

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

THE COUNCIL PRESIDENT --- RECOGNITION CEREMONIES.

Special Recognitions:

Chief Teresa Everett
Rochester Fire Department

Overdose Awareness Month Recognition

AMR Team
Presentation by: Luis Aponte and Corey Youells
Presentation of Proclamation Recognizing AMR Team

Retirement:

DES:

Sanford L. Cox
Juan A. Serrano

NBD:

Barbara L. Benedict

Library:

Derrick R. Coley

RFD:

Edward P. Kuppinger
John W. Prouty
Ricky Reyes`

RPD:

Justin M. Havill
Michael D. Horn
Theodore Wilson

APPROVAL OF THE MINUTES

By Councilmember Smith

RESOLVED, that the minutes of the Regular Meeting on July 18, 2023 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

THE CITY CLERK---THE FOLLOWING DOCUMENTS ARE HEREBY DIRECTED TO BE RECEIVED AND FILED:

The Council submits Disclosure of Interest Forms from **President Meléndez** on Int. No. 318; **Vice President Lupien and Councilmember Harris** on Int. No. 335; **Councilmember Gruber** on Int. No. 340

THE COUNCIL PRESIDENT --- PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS

Councilmember Martin submitted a petition on behalf of the BID Education Committee with 1,087 signatures and 21 organizations opposing the creation of a BID in Downtown Rochester.

THE COUNCIL PRESIDENT --- RECEIVED AND FILED

PUBLIC HEARING

Pursuant to law, a public hearing was held on August 17, 2023 on the following matter:

Authorizing pavement width changes for the North Goodman Street Reconstruction project (Bay Street to Clifford Avenue) Int. No. 315

No speakers

THE COUNCIL PRESIDENT --- INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

President Melendez introduced a motion to consider Int. No. 343 without referring to a committee. Moved by Councilmember Patterson; 2nd by Councilmember Peo. Motion to consider passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-274
Re: Statement of Necessity – Amending Ord. No. 2023-245 – United States Marshals Service – Fueling of Vehicles

The legislation amends Ordinance No. 2023-245, which was approved in July, to correct a typographical error in the service charge for refueling vehicles for the United States Marshals Service. It changes the charge from a rate of \$0.15 per gallon to \$0.18 per gallon, as specified in the transmittal that accompanied the original ordinance.

The prompt consideration and approval of this legislation is necessary to allow the refueling.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-274
(Int. No. 343)

Amending Ordinance No. 2023-245 regarding an agreement for the fueling of vehicles

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

Section 1. Section 1 of Ordinance No. 2023-245, Authorizing an agreement for the fueling of vehicles, is hereby amended as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Marshals Service for the fueling of its vehicles. The agreement shall have a term of five years. The agreement shall obligate the Marshals Service to reimburse the City for the actual cost of the fuel and pay an administrative and service charge of ~~-\$0.15~~ \$0.18 per gallon.

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

By Councilmember Lightfoot
August 22, 2023

To the Council:

The **PARKS & PUBLIC WORKS COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 316 Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$200,000 of bonds of said City to finance the water portion of the South Avenue and Elmwood Avenue Street Improvement project
- Int. No. 317 Amending the 2023-24 Budget for the receipt of reimbursements to implement New York State Transportation Plan programs
- Int. No. 318 Authorizing an agreement for the Joseph A. Floreano Rochester Riverside Convention Center Elevator Modernization project
- Int. No. 319 Authorizing an amendatory agreement with the New York State Department of Transportation to provide snow and ice control services
- Int. No. 320 Authorizing a grant agreement relating to the Commercial Operators Skills Training program
- Int. No. 321 Authorizing an agreement with the New York State Department of Environmental Conservation for maintenance of the Hemlock-Canadice State Forest property

The **PARKS AND PUBLIC WORKS COMMITTEE** recommends for **CONSIDERATION** the following entitled legislation:

Int. No. 315 Authorizing pavement width changes for the North Goodman Street Reconstruction project (Bay Street to Clifford Avenue)

Respectfully submitted,
Willie J. Lightfoot
Mitch Gruber
Jose Peo
Mary Lupien (*absent*)
Miguel A. Meléndez, Jr.
PARKS & PUBLIC WORKS COMMITTEE

Received filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-275
Re: North Goodman Street Reconstruction Project (Bay Street to Clifford Avenue)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the North Goodman Street Reconstruction Project. This legislation will authorize changes in pavement width required on North Goodman Street as listed below:

1. An increase in the existing tapered pavement width of 42 feet to 38 feet to a proposed tapered pavement width of 44 feet to 40 feet, beginning at Bay Street and continuing approximately 100 feet northward; and,
2. An increase in pavement width of 2 feet, from 38 feet to 40 feet, beginning approximately 100 feet north of Bay Street and continuing approximately 700 feet northward; and,
3. A decrease in pavement width of 2 feet, from 38 feet to 36 feet, beginning approximately 800 feet north of Bay Street to Rocket Street; and,
4. An increase in pavement width of 2 feet, from 38 feet to 40 feet, from Rocket Street and continuing approximately 550 feet northward.

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

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

A public meeting was held on March 9, 2023. A copy of the meeting minutes are attached. The pavement width changes were endorsed by the Traffic Control Board at the July 19, 2023 meeting.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-167

Ordinance No. 2023-275
(Int. No. 315)

Authorizing pavement width changes for the North Goodman Street Reconstruction project (Bay Street to Clifford Avenue)

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

Section 1. Council hereby approves the following pavement width changes for the North Goodman Street Reconstruction project (Bay Street to Clifford Avenue) (Project) on North Goodman Street:

- a. An increase in the existing tapered pavement width of 42 feet to 38 feet to a proposed tapered pavement width of 44 feet to 40 feet, beginning at Bay Street and continuing approximately 100 feet northward; and
- b. An increase in pavement width of 2 feet, from 38 feet to 40 feet, beginning approximately 100 feet north of Bay Street and continuing approximately 700 feet northward; and
- c. A decrease in pavement width of 2 feet, from 38 feet to 36 feet, beginning approximately 800 feet north of Bay Street to Rocket Street; and
- d. An increase in pavement width of 2 feet, from 38 feet to 40 feet, from Rocket Street and continuing approximately 550 feet northward.

Section 2. The changes authorized herein shall be made in accordance with the plans and specifications approved by the City Engineer, who may make reasonable modifications.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No 2023-276
Re: South Avenue (Elmwood Avenue to Bellevue Drive) and Elmwood Avenue (Mt Hope Avenue to South Avenue) Street Improvement Project

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation related to the South Avenue and Elmwood Avenue Street Improvement Project. This legislation will authorize the issuance of bonds totaling \$200,000 and the appropriation of the proceeds thereof to partially finance the construction of the water portion of the project. The estimated total cost of the water related improvements for the project will increase to \$4,186,730.62, which includes \$200,000 of bonds authorized herein, \$3,745,000 of bonds authorized in Ordinance 2022-55, \$85,282.17 in Prior Years' Cash Capital, \$97,567.71 in 2013-14 Cash Capital, \$46,150.12 in 2015-16 Cash Capital, and \$12,730.62 in 2016-17 Cash Capital.

The additional funding is required due to unforeseen underground utility conflicts and unforeseen soil conditions encountered during construction.

The water related improvements associated with the project include new water main, water services and hydrants. The water related improvements funded herein are part of an overall street improvement project that will enhance traffic safety and efficiency, improve the surface drainage and riding quality of the roadway, improve accessibility, and enhance the streetscape.

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

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-168

Ordinance No. 2023-276
(Int. No. 316)

Bond Ordinance of the City of Rochester, New York, authorizing the issuance of \$200,000 of bonds of said City to finance the water portion of the South Avenue and Elmwood Avenue Street Improvement 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 water service improvements associated with the South Avenue (Elmwood Avenue – Bellevue Drive) and Elmwood Avenue (Mt. Hope Avenue – South Avenue) Street Improvement Project, including water mains, water services and hydrants (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 \$4,186,730.62. The plan of financing includes the issuance of \$200,000 bonds of the City, which amount is hereby appropriated therefor, \$3,745,000 of bonds authorized in Ordinance No. 2022-55, \$85,282.17 in Prior Years' Cash Capital, \$97,567.71 in 2013-14 Cash Capital, \$46,150.12 in 2015-16 Cash Capital, \$12,730.62 in 2016-17 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.

Section 2. Bonds of the City in the principal amount of \$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 \$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, computed from August 2, 2022, the date of issuance of the first obligations issued therefor pursuant to Ordinance No. 2022-55.

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. 2023-277
Re: 2023-24 Budget Amendment – NYSDOT additional funding

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation amending the 2023-24 budget of Cash Capital to reflect the receipt and use of additional revenues from NYS in the amount of \$1,316,200. This additional revenue reflects the difference in the estimated revenue as submitted in the 2023-24 budget and the actual amounts awarded to the City of Rochester. This additional funding will be used to supplement the projects already in the approved budget.

This amendment includes the State Transportation Plan capital apportionment budgets for the following programs: Consolidated Local Street and Highway Improvement Program (CHIPS), Extreme Winter Recovery (EWR), PAVE-NY, and Pave Our Potholes (POP) and represents the increase in the amount budgeted to match the amount allocated to the City of Rochester for these programs. This funding is intended to help local governments cover the costs of needed road rehabilitation and reconstruction, to improve the physical condition of roadways, create jobs, and enhance local competitiveness. Eligible projects include road resurfacing and reconstruction projects with a life of ten years or more.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-277
(Int. No. 317)

Amending the 2023-24 Budget for the receipt of reimbursements to implement New York State Transportation Plan programs

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

Section 1. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of Cash Capital by the amount of \$1,316,200 to reflect the receipt of capital apportionments from the Extreme Winter Recovery, PAVE-NY, and Pave Our Potholes programs of the New York State Transportation Plan, which amount is hereby appropriated to implement such programs.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-278
Re: Agreement – LaBella Associates, D.P.C. – Joseph A. Floreano Rochester Riverside Convention Center Elevator Modernization

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation establishing \$500,000 as maximum compensation for a professional services agreement with LaBella Associates, D.P.C. (Steven Metzger, CEO, 300 State Street, Rochester, NY), for architecture and engineering services for the Joseph A. Floreano Rochester Riverside Convention Center Elevator Modernization project. The cost of the agreement will be financed from 2022-23 cash capital.

The Joseph A. Floreano Rochester Riverside Convention Center is the primary exhibition and meeting facility in Rochester. The facility opened in 1985 and all of the elevators date to the original construction. The facility is owned by the City of Rochester and operated under contract by the Rochester Convention Center Management Corporation. The project will include evaluation, planning, design, bidding, award, and construction administration services for modifications and/or replacement of the elevators and associated building system upgrades through a phased implementation plan.

LaBella Associates, D.P.C. was selected for evaluation, planning, design, bidding, award, and construction administration services through a request for proposal process, which is described in the attached summary.

Design is anticipated to begin in fall 2023. Construction is anticipated to begin in summer 2024. The professional services agreement will result in the creation and/or retention of the equivalent of 5.4 full-time jobs.

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

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-169

Ordinance No. 2023-278
(Int. No. 318)

Authorizing an agreement for the Joseph A. Floreano Rochester Riverside Convention Center Elevator Modernization project

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates, D.P.C. for architecture and engineering services for the Joseph A. Floreano Rochester Riverside Convention Center Elevator Modernization project (Project). The maximum compensation for the agreement shall be \$500,000, which shall be funded from 2022-23 Cash Capital. The term of the agreement shall extend until three months after completion of the two year guarantee inspection of the Project.

Section 2. The agreement authorized herein shall have such additional 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. 2023-279
Re: Amendatory Agreement - New York State Department of Transportation, Snow & Ice Control Services

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing an increase in contract lane miles; and an adjustment to the compensation for the 2022-23 winter for the current agreement with the New York State Department of Transportation (NYSDOT) for the provision by the City of snow and ice control services on the following State highways:

- 1. Lake Avenue, from Lyell Avenue to West Ridge Road;
- 2. Plymouth Avenue, from Commercial Street to Troup Street; and
- 3. Additional lane miles as follows: Keeler Street Expressway Ramp “B”, a distance of 851.01 feet; Keeler Street Expressway Ramp “C”, a distance of 1,113.20 feet. The total additional centerline and lane miles are 0.37 miles.

The requirement for an agreement for snow and ice control services on Plymouth Avenue will be eliminated in the future, when jurisdiction of the street is formally transferred from the State to the City.

The current agreement was previously authorized by City Council in Ordinance No. 2020-298 and later amended in Ordinances No. 2021-10 and No. 2022-25. This current amendment is required by the NYSDOT to adjust the number of contract lane miles and to adjust the annual amount of compensation for the 2022-23 winter to reflect the City’s current costs to provide these services. The preliminary adjusted amount for 2022-23 is calculated at \$92,539.38, an increase of \$5,799.41 from the 2021-22 amount of \$86,739.97. A certified ordinance from the municipality is required before the NYSDOT will finalize the adjusted amount for 2022-23, therefore it is possible for the final adjusted amount for 2022-23 to slightly vary from the preliminary adjusted amount. The total centerline miles are now 3.93 and the total contract lane miles are now 15.12, an increase of 0.37 centerline miles and lane miles. All other conditions of the agreement remain the same.

As a reminder, the current agreement has an initial five-year term, with up to three (3) separate five-year renewal periods, up to a maximum contract life of twenty (20) years. The current initial term will be from July 1, 2019 through June 30, 2024. The City can opt out of the agreement at the completion of any of the five-year periods.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-279
(Int. No. 319)

Authorizing an amendatory agreement with the New York State Department of Transportation to provide snow and ice control 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 the New York State Department of Transportation (NYSDOT) for the City to provide snow and ice control services on certain specified street and highway segments. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2020-298 and amended by Ordinance Nos. 2021-10 and 2022-25 to:

- A. extend the services to 851.01 feet of Keeler Street Expressway Ramp “B”, and to 1,113.20 feet of Keeler Street Expressway Ramp “C”;
- B. terminate the State’s compensation for services on the Plymouth Avenue segment when the formal jurisdiction of the segment is transferred from the State to the City; and

C. increase the annual Base Amount compensation paid by NYSDOT to reflect the City's actual costs for 2022-23 and to account for the increase in street segments.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-280

Re: Grant Acceptance – New York State Department of Transportation

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation authorizing the Mayor to enter into an agreement for the receipt and use of \$150,000 in anticipated New York State Department of Transportation (NYSDOT) grant funds for the purpose of financing the Commercial Operators Skills Training (COST) program.

The City of Rochester (City) is partnering with the NYSDOT to implement COST, a pilot Commercial Driver's License (CDL) program. This grant will enable the City to implement COST, which will provide participants with the skills leading to sustainable, long-term career opportunities in the trucking industry. The training program targets dislocated workers, underemployed and unemployed individuals, including low income and minority residents and veterans.

Through COST, the City will recruit and provide CDL training for up to 24 City residents, including current City employees, to participate in the program. The curriculum is designed to prepare individuals with the knowledge, skills and the Commercial Driver's License Class B (CDL-B) licensing necessary for entry-level positions as heavy truck or bus drivers.

The term of the agreement is three (3) years. Upon execution of the agreement with the NYSDOT, the City will issue a request for proposals for services to administer the CDL-B program, which will consist of classroom training and practical training including the NYS road test. It is anticipated that COST will begin in the fall of 2023 and will train three (3) cohorts of program participants throughout the duration of the program.

Respectfully submitted,
Malik D. Evans
Mayor

Michael A. Patterson
Councilmember, Northeast District

Attachment No. AW-170

Ordinance No. 2023-280
(Int. No. 320)

Authorizing a grant agreement relating to the Commercial Operators Skills Training program

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

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the New York State Department of Transportation (NYSDOT) for the receipt and use of \$150,000 related to the Commercial Operators Skills Training program (Program). The term of the agreement shall be three years.

Section 2. The agreement authorized herein shall have such additional 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. 2023-281

Re: Agreement – New York State Department of Environmental Conservation – Upland Watershed Maintenance Agreement

Comprehensive Plan 2034 Initiative Area: Sustaining Green and Active Systems

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Department of Environmental Conservation (NYSDEC) to reimburse the City for maintenance activities to be performed within the Hemlock-Canadice State Forest property. This State Forest is located within the City's Upland Watershed, on property that was sold to NYSDEC in 2010. The term of this agreement will be from June 1, 2023 to November 30, 2025, with the option for a one year renewal. Total reimbursement to the City shall not exceed \$270,000 for the initial term and optional renewal.

Services requested by NYSDEC and performed by the City include maintenance of unpaved roads, trails, fields, parking areas and trail heads within the Hemlock-Canadice State Forest. These maintenance activities not only benefit those using the State Forest, but also improve overall water quality in the City's source water supplies of Hemlock and Canadice Lakes.

The previous maintenance agreement with NYSDEC was authorized by Ordinance No. 2019-342, with a term of three years. The total amount reimbursed by NYSDEC was \$117,988.95.

Sale of this property to NYSDEC in 2010 had multiple, positive benefits for the City. The property continues to remain undeveloped, protecting the unique, natural environment. The agreement contains requirements for property maintenance and preservation that meet or exceed the City's standards, continuing the City's legacy of good stewardship. NYSDEC continues to assume the property tax burden, thus protecting the finances of the watershed towns and agencies.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-281
(Int. No. 321)

Authorizing an agreement with the New York State Department of Environmental Conservation for maintenance of the Hemlock-Canadice State Forest property

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with the New York State Department of Environmental Conservation to compensate the City for maintenance activities performed within the Hemlock-Canadice State Forest property. The term of the agreement shall extend from June 1, 2023 to November 30, 2025 with the option to extend for one additional period of one year. The total reimbursement to the City for both the term and optional extension shall not exceed \$270,000.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson
August 22, 2023

To the Council:

The **NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 322 Authorizing the sale of real estate
- Int. No. 323 Authorizing an amendatory loan agreement and appropriating funds for the Federal Street and Scattered Site Rehabilitation project
- Int. No. 324 Authorizing amendatory agreements with Coordinated Care Services, Inc. for Emergency Solutions Grants projects
- Int. No. 325 Authorizing an amendatory agreement relating to Project HAVEN, an Emergency Solutions Grants project

Respectfully submitted,
Michael A. Patterson
LaShay D. Harris
Kimberly Smith
Mary Lupien (*joined and voted from Int. No. 324*)
Miguel A. Meléndez, Jr.
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-282
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Strong Neighborhoods

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

The first property, an abandoned portion of Harvey Alley, is listed on the attached spreadsheet under the heading, I. Negotiated Sale - Vacant Land and will be sold to God's Visions Ministries, Inc. (Burnice B. Green, Pastor, 694 Hudson Avenue, Rochester, New York). The property will be combined with the purchaser's adjoining parcels to the north and south. The sale price was established by an independent appraisal prepared by Bruckner, Tillett, Rossi, Cahill & Associates in January 2023.

The remaining seven properties are listed on the attached spreadsheet under the heading, II. Negotiated Sale - Unbuildable Vacant Land. The parcel at 22 Burbank Street will be sold to Latasha Gibson, 20 Burbank Street, Rochester, New York; the southwest portion of 99 Friederich Park will be sold to Jonathan Heineck and Robina Salenga-Heineck, 152 Bernard Street, Rochester, New York; the west half of 207 Hayward Avenue will be sold to Christopher Difrancesco, 238 Hayward Avenue, Rochester, New York; the east half of 207 Hayward Avenue will be sold to Veronica Wilson as Executor for the Estate of Carol B. Wilson, 213 Hayward Avenue, Rochester, New York; 30 OK Terrace will be sold to Diamond Lee Mendez, as Trustee for the Mendez Family Irrevocable Trust, 33 OK Terrace, Rochester, New York; 80 Pulaski Street will be sold to Carmen Flecha, 84 Pulaski Street, Rochester, New York; and 102 Sherman Street will be sold to Upstate Funding Properties LLC, Joseph Lovejoy, Jr., Member, 449 Sundance Trail, Webster, New York 14580. The parcels are each being sold for \$1.00 (as per City policy) and will be combined with the primary parcels owned by the identified adjoining owners.

The first year projected tax revenue for these properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,153.

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

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW- 171

Ordinance No. 2023-282
(Int. No. 322)

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 to God's Visions Ministries, Inc.:

Address	S.B.L. No.	Lot Size	Purchase Price
Abandoned portion of Harvey Alley	TBD	1,600 sqft.	\$1,350

The portion of Harvey Alley to be conveyed is described and bounded as follows:

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 44, Township 14, 2nd Division, and being more particularly bounded and described as follows: Beginning at the intersection of the westerly ROW line of Hudson Avenue (66' ROW) and the southerly ROW line of Harvey Alley (16' ROW), being the northeast corner of Lot 27 of the St. Joseph Orphan Asylum Association Tract, as filed in the Monroe County Clerk's Office in Liber 5 of Maps, Page 46, and being the Point or Place of Beginning; thence

- 1) Westerly, along the said southerly ROW line of Harvey Alley, a distance of 100.0 feet to the northwest corner of said Lot 27; thence
- 2) Northerly, crossing said Harvey Alley, a distance of 16.0 feet to the northerly ROW line thereof and the southwest corner of Lot 37 of said St. Joseph Orphan Asylum Association Tract; thence
- 3) Easterly, along said southerly ROW line, a distance of 100.0 feet to the southeast corner of said Lot 37 and the said westerly ROW line of Hudson Avenue; thence
- 4) Southerly, crossing said Harvey Alley, a distance of 16.0 feet to the Point or Place of Beginning.

Hereby intending to describe the easterly 16.0 x 100.0 portion of Harvey Alley, comprising 1600 square feet.

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land to the owner of an adjoining parcel for \$1:

Address	S.B.L. No.	Lot Size (sq. ft.)	Purchaser
22 Burbank St	091.71-1-39	3,306	Latasha Gibson
SW Portion of 99 Friederich Pk	Portion of 106.24-3-19	1,334	Jonathan Heineck and Robina Salenga-Heineck
WH 207 Hayward Av	Westerly half of 106.67-2-27	1,743	Christopher Difrancesco
EH 207 Hayward Av	Easterly half of 106.67-2-27	1,743	Veronica Wilson as Executor for Estate of Carol B. Wilson
30 OK Ter	091.78-1-13	3,573	Diamond Lee Mendez, as Trustee for the Mendez Family Irrevocable Trust
80 Pulaski St	091.73-1-91	3,401	Carmen Flecha
102 Sherman St	105.58-2-44	2,660	Upstate Funding Properties LLC

The portion of Friederich Pk to be conveyed is described and bounded as follows:

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being the northerly part of Lot 34 of David Ely's Subdivision, as filed in the Monroe County Clerk's

Office in Liber 5 of Maps, Page 46 and being more particularly bounded and described as follows:
Beginning at the northwest corner of said Lot 34, said corner being the Point or Place of Beginning;
thence

- 1) Easterly, along the north line of said Lot 34, a distance of 33.0 feet to the northeast corner thereof; thence;
- 2) Southerly, along the east line of said Lot 34, a distance of 40.4 feet, more or less, to a point that is 110.0 feet north of the northerly ROW line of Bernard Street (50' ROW); thence
- 3) Westerly, parallel with said Bernard Street, a distance of 33.0 feet to the west line of said Lot 34; thence
- 4) Northerly, along said west line of Lot 34, a distance of 40.4 feet, more or less, to the said northwest corner thereof, being the Point or Place of Beginning.

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

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. 2023-283

Re: Amendatory Agreement – Federal Street and Scattered Sites Affordable Housing Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to increasing the amount of the City's loan for the Federal Street and Scattered Site rehabilitation project (the "Project"), an affordable development project being undertaken by Rochester Housing Authority (RHA) (Shawn Burr, Executive Director, 675 West Main Street, Rochester) in the Beechwood, EMMA, and Marketview Heights neighborhoods.

This legislation will:

- 1) Authorize an Amendatory Project Loan Agreement with RHA Federal St Associates LLC to increase the loan amount approved by Ordinance No. 2022-204 on July 19, 2022, by \$250,000, as described in section 2 below, for a total of \$500,000. The loan will serve initially as a 2% construction loan payable annually. The permanent loan includes a 30-year term, and 2% interest-only, cash flow dependent payments due annually, with the outstanding principal balance and any accrued interest due at the end of the 30-year term.
- 2) Appropriate to Project loan principal \$250,000 in HOME funds from the Affordable Housing Fund allocation in the Consolidated Community Development Plan / 2022-23 Annual Action Plan.

- 3) Authorize the Mayor to adjust the interest rate and other terms and conditions of the loan agreement in order to conform to legal requirements for tax credits or for the project.
- 4) Authorize the Director of Finance to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

City Council previously appropriated \$250,000 for the project through the Ordinance noted above. Rochester Housing Authority (RHA) formed the entity RHA Federal St Associates LLC for the Project in accordance with that ordinance. The City proposes to increase its loan to a total of \$500,000 for the development of the Federal Streets/Scattered Sites affordable rental housing project, due to a funding gap of approximately \$4,260,000 that emerged from ongoing pandemic related material cost increases and supply chain issues in advance of project closing. The project commenced construction in May 2023 and is scheduled for completion in November 2024. The remaining portion of the gap has been funded through increases from other funders as well as increased deferred developer fee. A chart of updated Sources and Uses is below.

<u>Uses</u>		<u>Permanent Sources</u>	
Acquisition	\$10,000	NYS HCR (tax credits)	\$13,681,548
Hard Costs	\$20,611,852	Other State/ Foundation funds	\$8,920,479
Soft Costs and Working Capital	\$3,571,290	CPC Loan	\$1,999,000
Development Fee	\$2,282,838	RHA Contribution and Reserves	\$351,167
Temporary Relocation Costs	\$100,000	City of Rochester	\$500,000
Reserves	\$327,048	Deferred Developer Fee	\$1,450,834
TOTAL	\$26,903,028	TOTAL	\$26,903,028

The Project involves building and/or preserving 53 affordable and workforce housing units at RHA’s Federal Street site (55-99 Federal Street) and 24 scattered sites located in the surrounding neighborhoods. The Federal Street/Scattered Site project will continue to maintain its units as affordable for a minimum of 30 years. Currently more than half of the existing tenants in the Scattered Site units earn less than 30% MFI. The majority of the units will receive Project-Based Voucher rental assistance, and 51 will be affordable to persons earning up to 30, 50, or 60% of MFI. To accommodate the current resident households, two units will remain eligible for those earning over 80% of MFI unless or until they move at which point lower-income households will be prioritized.

The Project is consistent with the City of Rochester’s Housing Policy and complements the City’s housing goals by addressing barriers identified by the Rochester-Monroe Anti-Poverty Initiative (RMAPI) in a focused effort. The Project will additionally complement significant development and interest that has occurred over the past decade and is currently underway in these City neighborhoods, and will continue to provide housing for a range of incomes and household types.

The Project will continue to include workforce goals of 6.9% women and 20% minority hours worked, as well as an obligation of 30% M/WBE contracts and a goal of 25% city residents and significant Section 3 resident hours working on the Project. Both the National Environmental Policy Act or NEPA and SEQR reviews were completed prior to the project commencement.

Respectfully submitted,
 Malik D. Evans
 Mayor

Authorizing an amendatory loan agreement and appropriating funds for the Federal Street and Scattered Site 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 agreement with RHA Federal St Associates LLC relating to the Federal Street and Scattered Site Rehabilitation project (the Project). The agreement authorized by Ordinance No. 2022-204 is hereby amended by increasing the loan amount by \$250,000 to a new total of \$500,000. The amendatory amount of \$250,000 shall be funded from the appropriations made in Section 2 herein.

Section 2. The sum of \$250,000 is hereby appropriated from the Affordable Housing Fund project allocation of the 2022-23 Annual Action Plan to fund the additional Project loan principal authorized in Section 1 herein.

Section 3. The Mayor and the Director of Finance are hereby authorized to adjust the interest rate and other terms and conditions of the loan if necessary to conform to legal and other requirements for the Project or its tax credits.

Section 4. The amendatory agreement shall contain such additional 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. 2023-284
Re: Amendments - Emergency Solutions Grants Program

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the City of Rochester's Emergency Solutions Grants (ESG) Program. This legislation will:

Amend agreements with Coordinated Care Services, Inc. (Principal: Anne Wilder, President, 1099 Jay Street, Rochester, NY) and adjust the awards approved in May 2023 and June 2023, respectively, via Ordinance No. 2023-165 and Ordinance No. 2023-206 as follows. The other terms of the agreements remain the same:

Program	Funding Source & Ordinance	Original Authorization	Revised Compensation
Rapid Re-housing	ESG 2023-24 (Ord. No. 2023-165)	39,203	166,234
Coordinated Entry	ESG 2023-24 (Ord. No. 2023-165)	166,234	39,203
Rapid Re-housing	ESG-CV (Ord. No. 2023-206)	15,0002	28,000
Coordinated Entry	ESG-CV (Ord. No. 2023-206)	28,000	15,000

This item corrects awards that were inadvertently transposed on the two prior ESG Council items.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-284
(Int. No. 324)

Authorizing amendatory agreements with Coordinated Care Services, Inc. for Emergency Solutions Grants projects

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

Section 1. The Mayor is hereby authorized to enter into amendatory professional service agreements with Coordinated Care Services, Inc. (CCSI) to provide services to the homeless in accordance with the federal Emergency Solutions Grants (ESG) Program. The agreement for Coordinated Entry services authorized in Ordinance No. 2023-165 is hereby amended to decrease the maximum compensation from \$166,234 to a new total of \$39,203. The agreement for Rapid Re-housing services authorized in Ordinance No. 2023-165 is hereby amended to increase the maximum compensation from \$39,203 to a new total of \$166,234.

Section 2. The Mayor is hereby authorized to enter into amendatory professional service agreements with CCSI to provide ESG Program services to the homeless. The agreement for Coordinated Entry services authorized in Ordinance No. 2023-206 is hereby amended to decrease the maximum compensation from \$28,000 to a new total of \$15,000. The agreement with CCSI for Rapid Re-housing services authorized in Ordinance No. 2023-206 is hereby amended to correct a typographical error and to increase the maximum compensation to a new total of \$28,000.

Section 3. The amendatory agreements shall contain such additional 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. 2023-285
Re: Agreement – Project HAVEN – Emergency Solutions Grants Program

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation to provide emergency shelter and services to the homeless through the City of Rochester's Emergency Solutions Grants (ESG) Program.

It provides \$36,119.88 in additional funding and modifies the scope of an agreement with REACH Advocacy, Inc. (Principal: Andrew Carey, 720 West Main Street, Rochester, NY) to implement Project HAVEN (the Project), a collaborative initiative to provide emergency shelter, case management, and housing stabilization services to homeless individuals and households. The original authorization for the agreement provided by Ordinance No. 2023-206 is modified to increase the maximum compensation from \$75,000 to \$111,119.88 and to focus the scope of work on the Project.

The additional compensation will be appropriated from unspent funds appropriated for previous ESG Program projects from the Emergency Solutions Grants CARES Act (ESG-CV) allotment of the 2019-20 Annual Action Plan funded by Ordinance Nos. 2020-130 and 2020-255. The term of the agreement will be from April 1, 2023 to September 30, 2023, thereby providing additional funds for case managers needed for Project utilizing unspent ESG-CV funds that are required to be spent by a September 30, 2023 deadline.

REACH Advocacy will partner with MC Collaborative, LLP to implement the Project by means of a low-barrier year-round emergency shelter system consisting of 80 private bedrooms provided at six sites. The low-barrier approach is intended to serve some of the most vulnerable populations in Rochester. REACH will work closely with Monroe County Department of Human Services and other providers to offer wrap-around services to their clients, secure benefits, and connect them with housing options. The ESG-CV funds will pay for case managers that work directly with the clients, thereby bridging an operational funding gap.

The ESG funds administered by the U.S. Department of Housing and Urban Development are intended to provide 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, additional beds, financial assistance, and related services for the prevention of homelessness and for rapid re-housing.

Federal law requires municipal grantees of ESG funds (City and County) to collaborate with the community of homelessness service providers. To that end, ESG funding priorities are jointly determined with Partners Ending Homelessness (formerly the Rochester/Monroe County Continuum of Care - CoC). REACH and other ESG Program Year 2023-24 providers were selected through a competitive process conducted jointly with Monroe County and commenced with the issuance of a Request for Proposals (RFP) on February 27, 2023.

The City of Rochester and Monroe County have provided approximately \$3 million in ESG funding for these programs over the last five program years, during which time fund grantees have served the needs of over 11,500 persons. Of those, approximately 40% were children, 6% were chronically homeless individuals, and just over 5% were veterans. For program year 2022-23, we predicted that ESG-funded programs would serve 1,250 people, and our programs are on track to accomplish that. It is anticipated that approximately 1,230 people will be served through ESG funded programs in the program year 2023-24.

This legislation supports the City Housing Policy's Section 4 priority: Promote Housing Choice. The City enters into ESG-funded agreements only with organizations that are in compliance with federal regulations.

Respectfully submitted,
Malik D. Evans
Mayor

Authorizing an amendatory agreement relating to Project HAVEN, an Emergency Solutions Grants 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 service agreement with REACH Advocacy, Inc. to provide services to the homeless in accordance with the federal Emergency Solutions Grants (ESG) Program. The agreement for services authorized in Ordinance No. 2023-206 is hereby amended:

- A. to clarify that the scope of work entails the implementation of Project HAVEN (the Project), a collaborative initiative to provide emergency shelter, case management, and housing stabilization services to homeless individuals and households; and
- B. to increase the maximum compensation by \$36,119.88 to a new total of \$111,119.88.

The amendatory compensation in the amount of \$36,119.88 is hereby appropriated for the Project from the unspent funds appropriated for previous ESG Program projects from the ESG CARES Act (ESG-CV) allotment of the 2019-20 Annual Action Plan that was allocated by Ordinance Nos. 2020-130 and 2020-255.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Patterson introduced a motion to discharge Int. No. 290; 2nd by Councilmember Peo. Motion to discharge passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen

Ordinance No. 2023-286
Re: Acquisition – 5-7 Taylor Street

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the acquisition of real property by negotiation. The residential property located at 5-7 Taylor Street is adjacent to contiguous City-owned property in the Bull's Head neighborhood and is a strategic acquisition opportunity to add to the Bull's Head project. The property summary including appraised fair market value, is as follows:

Address	Reputed Owner	SBL No.	Type	Maximum Acquisition Amount
5-7 Taylor Street	Linford Hamilton Estate	120.42-2-8	2 Family	\$54,000

The maximum acquisition amount is supported through an independent appraisal performed by Bruckner, Tillett, Rossi, Cahill & Associates in December 2022. The price does not include any consideration for environmental or geotechnical conditions and assumes an environmentally clean site.

The structure will be demolished for future redevelopment. Acquisition of the property, necessary closing costs, any relocation costs, and demolition of the structure will be funded through 2018-19 Cash Capital. A property map is included.

Pursuant to the requirements of the New York State Environmental Quality Review Act (SEQRA), a determination of no significant adverse impacts has been made, and a Negative Declaration was issued on May 22, 2023.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-173

Ordinance No. 2023-286
(Int. No. 290)

Authorizing the acquisition of 5-7 Taylor Street

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

Section 1. The Council hereby approves the acquisition by negotiation of the parcel described below for a maximum purchase price of \$54,000. The purchase price as well as necessary closing costs shall be funded from 2018-19 Cash Capital.

Address	Reputed Owner	SBL #	Type
5-7 Taylor Street	Linford Hamilton Estate	120.42-2-8	2-Family

Section 2. Upon the date of closing, any City taxes and other charges owed against said parcel shall be canceled. Any taxes levied after the date of closing, while the City owns the parcel, shall also be cancelled. The property shall be conveyed to the City with no other outstanding liens.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Patterson introduced a motion to discharge Int. No. 293; 2nd by Councilmember Peo. Motion to discharge passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-287
Re: Sale of the Court Street Parking Garage to LAZ Parking Realty Investors II, LLC

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity; Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the sale of the Court Street Parking Garage (the “Garage”) to LAZ Parking Realty Investors II, LLC (“LPRI”) (the “Purchaser”) (Larry J. Stubbs, Partner, Boston, MA) or an entity to be formed LAZ Parking Realty Investors LLC for the purpose of owning the Garage. The Purchaser was selected through a Request for Proposals (“RFP”) issued on October 19, 2022. The purchase price for the Garage will be \$5,600,000. As a purchaser concession in the event that the City authorizes the sale of both the Court Street and Washington Square garages together to the same Purchaser, the Purchaser will pay an additional \$1,000,000. This concession will be adjusted at closing.

The Garage at 194 Court Street is a 6-story structure consisting of 1,001 parking spaces situated on a 1.13-acre parcel. An independent appraisal of the Garage completed by Bruckner, Tillett, Rossi, Cahill & Associates in February 2022 determined an appraised value of \$4,300,000. The appraised value was used as the minimum bid for the responses to the City’s RFP.

The Garage is located within the Washington Square Urban Renewal Area (WS UR Area) designated by Council in 1992 by Ordinance No. 92-354 and is subject to an Urban Renewal Plan (WS UR Plan) adopted in Ordinance No. 92-446. The City established the WS UR Area and Plan primarily to spur the construction of the Bausch & Lomb office building (now known as Legacy Tower) and to construct an approximately 1,100-space parking garage. The WS UR Plan states that the Garage is necessary to accommodate the parking demands of B&L (now Legacy Tower) office building and other facilities, including the Excellus Blue Cross office building, which was constructed after its site was added to the WS UR Area and Plan by Ordinance No. 96-366. Under the terms of the NYS Urban Renewal Act, a municipality’s conveyance of land within an urban renewal area is required to address whether the purchaser is qualified and eligible to maintain the property consistent with the terms of the urban renewal plan.

Therefore, in addition to setting the minimum purchase price, the City’s RFP required each prospective purchaser to document in its proposal how it is qualified and committed to maintain and continue to operate the Garage as a public parking facility. A companion item is being submitted to the Rochester Urban Renewal Agency (RURA) for a resolution that addresses the same Urban Renewal Act purchaser qualification requirement.

LPRI has addressed this requirement by providing its financials along with the following information about its experience and its plans for the Garage. LPRI is a real estate ownership, development, and asset management company that focuses exclusively on parking development, parking investment management, purchase of parking assets, joint venture, and public-private partnerships. LPRI is a national leader in acquiring municipal parking assets and has participated in over \$3 billion worth of parking investments across the country. Once the ownership of the garage is transferred to LPRI, it will be responsible for ongoing capital repairs to, and replacement of the garage. For the operation of the garage, LPRI will hire LAZ Parking for their experience and expertise in the day-to-day operations of the garage using their management and operations plans for facilities owned nationwide.

LAZ Parking, by LPRI’s account, is the second largest parking management company in the country, employing over 15,000 people while managing 3,500 locations in 415 cities across 36 states. They offer 24-hour parking operations including a 24/7 customer call center and sophisticated and innovative technology in the garages they operate. LAZ Parking’s experience extends to most types of parking assets from surface lots to complex mixed-use garages serving all types of customers from residential to office, healthcare, municipalities, higher education, retail, events, and airports. LPRI is a close affiliate of LAZ Parking and both companies share some common principal owners.

LPRI and LAZ Parking have operations in three Upstate New York locations including Syracuse, Schenectady, and Binghamton. LAZ Parking will provide training, supervision and remuneration to staff that operate, manage, and perform parking operations activities using a tried and tested orientation and onboarding process, and continuing education and career development for staff.

The Purchaser will assume title to the Garage subject to existing easements, leases, and parking agreements. The City entered into agreements with the owners of the Legacy Tower, Di Pisa's Sub Shop, and Excellus. These include a Parking Permit Agreement with Clinton Court LLC, a Lease Agreement with Merlo Enterprises dba DiPisa's Old World Submarines, a Garage Space Lease with, and easements in favor of, Finger Lakes Health Insurance Company (Excellus) to connect the Garage to the Excellus office building with an enclosed pedestrian skybridge, and several easements in favor of Clinton Court LLC for pedestrian and vehicular ingress and egress through a passageway/tunnel commencing within the Garage and ending at Legacy Tower.

The sale of the Garage, which will not include the skyway across Court Street linking the Garage to the Excellus office building, will financially benefit the City via up front revenue from sale proceeds (net of currently outstanding debt of \$1,083,400), and moving forward, savings from avoidance of annual maintenance costs, as well as increased tax revenue. The net proceeds will be set aside in the Parking Fund as a future funding source for operating and maintaining the remaining City-owned garages. The Purchaser understands that the Garage will be assessed full real estate taxes without any special tax abatements. Additionally, the sale will continue the provision of public parking for residents, visitors, employees, and customers of area businesses. Current parking fee rates will be maintained through the end of June 2025 with the exception that if the City raises its rates on other garages, the Purchaser may do so at the same dollar amount of rate change.

The transaction will also benefit the City, and the Court Street Garage's neighboring businesses, by maintaining the continuing operation of the Garage, one of the key requirements of the Washington Square Urban Renewal Plan.

A public hearing is required.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-174

Ordinance No. 2023-287
(Int. No. 293)

Authorizing the sale of the Court Street Parking Garage

WHEREAS, the City of Rochester has received a proposal from LAZ Parking Realty Investors II, LLC (LPRI) for LPRI or an entity to be formed by its principals (collectively, the Purchaser) to purchase and continue to operate the Court Street Parking Garage located at 194 Court Street and comprised of approximately 1,001 parking spaces in a six-story structure (the Garage);

WHEREAS, the Purchaser provided its proposal in response to the City's request for proposals to purchase and to continue the operation of the Garage as a public parking facility;

WHEREAS, the Garage is located within the Washington Square Urban Renewal Area (WS UR Area) and is subject to an Urban Renewal Plan (WS UR Plan) adopted in Ordinance No. 92-446:

WHEREAS, the City established the WS UR Area and Plan primarily to spur the construction of the Bausch & Lomb office building (now known as Legacy Tower) and to construct a parking garage in excess of 1,000 parking spaces to accommodate the parking demands of Bausch & Lomb office building and other facilities, including the Excellus Blue Cross office building, which was constructed after Excellus' site was added to the WS UR Area and Plan by Ordinance No. 96-366;

WHEREAS, LPRI submitted its purchase proposal in response to the City's request for proposals to purchase and continue the operation of Garage so as to continue the redevelopment of the WS UR Area in accordance with the objectives of the WS UR Plan;

WHEREAS, due to the Garage's location and role within the WS UR Area, New York State Urban Renewal Law at Section 507(2) of the General Municipal Law, requires the City to assess the Purchaser's plan and credentials so as to determine whether the Purchaser qualifies for designation as a qualified and eligible sponsor of the redevelopment of a City-owned property located within an urban renewal area;

WHEREAS, LPRI is a real estate and asset management company that focuses exclusively on parking developments, is a national leader in acquiring municipal parking assets, and has participated in over \$3 billion worth of parking investments across the United States, including operations in the Upstate New York cities of Rochester, Syracuse, Schenectady, and Binghamton;

WHEREAS, upon assuming ownership of the Garage, the Purchaser will assume responsibility for maintaining the Garage, including capital repairs and replacements, as well as the responsibility of operating the Garage;

WHEREAS, LPRI proposes to engage its close affiliate, LAZ Parking, to operate the Garage due to its experience and expertise in the day-to-day operations of parking garages developed over the course of operating 3,500 locations in 415 cities and 36 states, including the provision of a 24/7 customer call center and sophisticated and innovative technologies in the garages they operate;

WHEREAS, the Purchaser proposes to purchase the Garage for the sum of \$5,600,000, which exceeds the independently appraised value of \$4,300,000, and has offered to the City an additional \$1,000,000 purchaser concession to be divided between the two facilities at closing if the City authorizes the sale of both the Court Street and Washington Square garages to the Purchaser together;

WHEREAS, the Purchaser proposes to assume title to the Garage subject to existing easements, leases and parking agreements valuable to the City and to the continued redevelopment of the Washington Square Urban Renewal Area, including but not limited to existing easements, leases and parking and access agreements with the owners of the Legacy Tower, DiPisa's Sub Shop and Excellus;

WHEREAS, the Purchaser proposes to maintain the Garage's current parking fee rates through to the end of June, 2025, provided that, if the City raises its parking fee rates at other garages, the Purchaser may do so at the same dollar amount;

WHEREAS, the Purchaser's proposal acknowledges and agrees that the Garage will be assessed full real property taxes without any special tax abatement after the purchase;

WHEREAS, by providing for the continued operation and maintenance of the Garage, the Purchaser's proposal will result in the preservation of parking that will serve as a necessary amenity for the continued redevelopment of the previously blighted Washington Square Urban Renewal Area, thereby generating additional tax revenue and employment; and

WHEREAS, the Purchaser has been found by the Rochester Urban Renewal Agency to be a qualified and eligible sponsor to carry on the redevelopment of the Washington Square Urban Renewal Area.

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

Section 1. The Council hereby approves the sale of the Garage to LPRI, or an entity to be formed by its principals, for the sum of \$5,600,000, subject to the terms set forth in the foregoing and following provisions herein and to such additional terms and conditions as the Mayor deems appropriate.

Section 2. The Council hereby determines and designates the Purchaser to be a qualified and eligible sponsor to carry on the redevelopment of the Washington Square Urban Renewal Area through the purchase and sale transaction authorized herein.

Section 3. The Council hereby further approves the granting and acceptance of any easements for utilities, ancillary development, and public access to and within the Garage, as necessary to effectuate the terms and purposes of the Purchaser's proposal.

Section 4. 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 appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Patterson introduced a motion to discharge Int. No. 294; 2nd by Councilmember Peo. Motion to discharge passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-288

Re: Sale of the Washington Square Parking Garage to LAZ Parking Realty Investors II, LLC

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity; Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the sale of the Washington Square Parking Garage (the "Garage") to LAZ Parking Realty Investors II, LLC ("LPRI") (the "Purchaser") (Larry J. Stubbs, Partner, Boston, MA) or an entity to be formed LAZ Parking Realty Investors, LLC for the purpose of owning the Garage. The Purchaser was selected through a Request for Proposals ("RFP") issued on October 19, 2022. The purchase price for the Garage will be \$2,200,000. As a purchaser concession in the event that the City authorizes the sale of both the Court Street and Washington Square garages to the same Purchaser together, the Purchaser will pay an additional \$1,000,000. This concession will be adjusted at closing.

The Garage at 250 S. Clinton Avenue is a 5-story structure consisting of 1,177 parking spaces situated on a 1.92-acre parcel. An independent appraisal of the Garage completed by Bruckner, Tillett, Rossi, Cahill & Associates in February 2022 determined an appraised value of \$1,440,000. The appraised value was used as the minimum bid for the responses to the City's RFP.

LPRI is a real estate ownership, development, and asset management company that focuses exclusively on parking development, parking investment management, purchase of parking assets, joint venture, and public-private partnerships. LPRI is a national leader in acquiring municipal parking assets and has participated in over \$3 billion worth of parking investments across the country. Once the ownership of the garage is transferred to LPRI, it will be responsible for ongoing capital repairs to, and replacement of the garage. For the operation of the garage, LPRI will hire LAZ Parking for their experience and expertise in the day-to-day operations of the garages using their management and operations plans for facilities owned nationwide.

LAZ Parking, by LPRI's account, is the second largest parking management company in the country, employing over 15,000 people while managing 3,500 locations in 415 cities across 36 states. They offer 24-hour parking operations including a 24/7 customer call center and sophisticated and innovative technology in the garages they operate. LAZ Parking's experience extends to most types of parking assets from surface lots to complex mixed-use garages serving all types of customers from residential to office, healthcare, municipalities, higher education, retail, events, and airports. LPRI is a close affiliate of LAZ Parking and both companies share some common principal owners.

LPRI and LAZ Parking have operations in three Upstate New York locations including Syracuse, Schenectady, and Binghamton. LAZ Parking will provide training, supervision and remuneration to staff that operate, manage, and perform parking operations activities using a tried and tested orientation and onboarding process, and continuing education and career development for staff.

The Purchaser will assume title to the Garage subject to all existing easements, leases, and parking agreements. The City entered into agreements with the owners of the Three City Center building pertaining to an easement for the pedestrian skybridge and maintenance of the same, and with ESL Federal Credit Union for easements to internal ramps to allow for ingress and egress through the Garage and into ESL's privately-owned and operated garage.

The sale of the Garage, which will include the skyway across Woodbury Boulevard linking the Garage to the Three City Center building, will financially benefit the City via up front revenue from sale proceeds (net of currently outstanding debt of \$329,145), and moving forward, savings from avoidance of annual maintenance costs, as well as increased tax revenue. The net proceeds will be set aside in the Parking Fund as a future funding source for operating and maintaining the remaining City-owned garages. The Purchaser understands that the Garage will be assessed full real estate taxes without any special tax abatements. Additionally, the sale will continue the provision of public parking for residents, visitors, employees, and customers of area businesses. Current parking fee rates will be maintained through the end of June 2025 with the exception that if the City raises its rates on other garages, the Purchaser may do so at the same dollar amount of rate change.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-288
(Int. No. 294)

Authorizing the sale of the Washington Square Parking Garage

WHEREAS, the City of Rochester has received a proposal from LAZ Parking Realty Investors II, LLC (LPRI) for LPRI or an entity to be formed by its principals (collectively, the Purchaser) to purchase and continue to operate the Washington Square Parking Garage located at 250 South Clinton Avenue and comprised of approximately 1,177 parking spaces in a five-story structure as well as an enclosed pedestrian skyway that extends across Woodbury Boulevard to the 3 City Center Building located at 180 South Clinton Avenue (the Garage);

WHEREAS, the Purchaser provided its proposal in response to the City's request for proposals to purchase and to continue the operation of the Garage as a public parking facility;

WHEREAS, LPRI is a real estate and asset management company that focuses exclusively on parking developments, is a national leader in acquiring municipal parking assets, and has participated in over \$3 billion worth of parking investments across the United States, including operations in the Upstate New York cities of Rochester, Syracuse, Schenectady, and Binghamton;

WHEREAS, upon assuming ownership of the Garage, the Purchaser will assume responsibility for maintaining the Garage, including capital repairs and replacements, as well as the responsibility of operating the Garage;

WHEREAS, LPRI proposes to engage its close affiliate, LAZ Parking, to operate the Garage due to its experience and expertise in the day-to-day operations of parking garages developed over the course of operating 3,500 locations in 415 cities and 36 states, including the provision of a 24/7 customer call center and sophisticated and innovative technologies in the garages they operate;

WHEREAS, the Purchaser proposes to purchase the Garage for the sum of \$2,200,000, which exceeds the Garage's independently appraised value of \$1,440,000, and has offered to the City an additional \$1,000,000 purchaser concession to be divided between the two facilities at closing if the City authorizes the sale of both the Washington Square and Court Street garages to the Purchaser together;

WHEREAS, the Purchaser proposes to assume title to the Garage subject to existing easements, leases and parking agreements, including but not limited to easements and access agreements with the owners of the 3 City Center Building and the ESL Federal Credit Union;

WHEREAS, the Purchaser proposes to maintain the Garage's current parking fee rates through to the end of June, 2025, provided that, if the City raises its parking fee rates at other garages, the Purchaser may do so at the same dollar amount;

WHEREAS, the Purchaser's proposal acknowledges and agrees that the Garage will be assessed full real property taxes without any special tax abatement after the purchase.

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

Section 1. The Council hereby approves the sale of the Garage to LPRI, or an entity to be formed by its principals, for the sum of \$2,200,000, subject to the terms set forth in the foregoing and following provisions herein and to such additional terms and conditions as the Mayor deems appropriate.

Section 2. The Council hereby further approves the granting and acceptance of any easements for utilities, ancillary development, and public access to and within the Garage, as necessary to effectuate the terms and purposes of the Purchaser's proposal.

Section 3. 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 appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Patterson introduced a motion to discharge Int. No. 296; 2nd by Councilmember Peo. Motion to discharge passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-289
Re: Sale of the Mortimer Street Parking Garage to Cox Rochester LLC

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity; Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the sale of the Mortimer Street Parking Garage (the “Garage”) to Cox Rochester LLC (Derek Persse, President, Clay, NY) (the “Purchaser”) or an entity to be formed by Cox Rochester LLC for the purpose of owning the Garage. The Purchaser was selected through a Request for Proposals (“RFP”) issued on June 14, 2022. The purchase price for the Garage will be \$2,500,555.

The Garage at 83 Mortimer Street is a 7-story structure consisting of 600 parking spaces situated on a 0.73-acre parcel on N. Clinton Avenue between Mortimer and Division streets. An independent appraisal of the Garage completed by Bruckner, Tillett, Rossi, Cahill & Associates in May 2022 determined an appraised value of \$2,285,000. The appraised value was used as the minimum bid for the responses to the City’s RFP. The sale excludes a 0.18-acre portion of the parcel that provides access and egress at the rear of the Garage. The City will grant an easement for access across the portion of the parcel that is being retained. This area will be improved to accommodate EV carshare stations, Fast Charger Electric Vehicle charging stations, and a shared refuse and recycling enclosure to serve the businesses along Division Street. This will improve the pedestrian functionality and aesthetics of the street.

Cox Rochester LLC is the developer and owner of the Cox Building at 36-48 St. Paul Street in close proximity to the Mortimer Garage. After purchasing the Garage, the Purchaser proposes operating it to serve local business employees and customers, area visitors, and the residents of the proposed Cox Building Development Project. The Purchaser plans to upgrade the exterior aesthetic presentation of the Garage to benefit the neighborhood and to present a more progressive artistic image. The Purchaser will also undertake an approximately \$30,000,000 rehabilitation project at the historic Cox Building that includes an extensive renovation to restore the exterior historic features and create approximately 85 new apartments with a mix of first-floor retail uses. Ownership and control of the Garage will support the continued tenancy and viability of this and other nearby downtown buildings.

The Purchaser and its affiliates have experience in the design, engineering, and construction of parking garages in Syracuse, and also in the repair and installation/maintenance of parking garage deck surfacing. They also have some ownership stake in several garages in Syracuse. Daily operation of the Garage will be sub-contracted to Syracuse Parking Services, which currently owns and operates 26 parking garages and surface lots in and around Upstate New York.

The Purchaser will assume title to the Garage subject to existing agreements and easements. The City entered into a 2017 parking agreement that reserves up to 400 spaces for ten years with two ten-year renewal options with the Sibley Redevelopment Limited Partnership; there is also a bridge maintenance agreement currently in place with the same entity. The City also granted an easement to the Rochester Genesee Regional Transportation Authority (“RGRTA”) for three shelters recessed into the Garage. The Purchaser will be required to honor the RGRTA easement in addition to providing a perpetual non-exclusive easement in favor of the City of Rochester reserving thirty (30) parking spaces for City use without compensation to the Purchaser. Current parking fee rates will be maintained through the end of June 2025 with the exception that if the City raises its rates on other garages, the Purchaser may do so at the same dollar amount of rate change.

The sale of the Garage, to include the skyway across Clinton Avenue linking the Garage to the Sibley Building, will financially benefit the City via up front revenue from sale proceeds (net of currently outstanding debt of \$86,310), and moving forward, savings from avoidance of annual maintenance costs, as well as increased tax revenue. The net proceeds will be set aside in the Parking Fund as a future funding source for operating and maintaining the remaining City-owned garages. The

Purchaser understands that the Garage will be assessed full real estate taxes without any special tax abatements. Additionally, the sale will continue the provision of public parking for residents, visitors, employees, and customers of area businesses.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-289
(Int. No. 296)

Authorizing the sale of the Mortimer Street Parking Garage

WHEREAS, the City of Rochester has received a proposal from the Cox Rochester LLC (Cox) for Cox or an entity to be formed by Cox (collectively, the Purchaser) to purchase and continue to operate the Mortimer Street Parking Garage located at 83 Mortimer Street comprised of a 7-story structure containing approximately 600 parking spaces, as well as an enclosed pedestrian bridge across North Clinton Avenue that links the Garage to the Sibley Building (the Garage);

WHEREAS, Cox presented the proposal in response to the City's request for proposals to purchase and to continue the operation of the Garage as a public parking facility;

WHEREAS, Cox is the developer and owner of the Cox Building on the same block of the Garage at 36-48 St. Paul Street where it intends to undertake an approximately \$30 million project to restore the building's historic exterior features while creating approximately 85 apartments and a mix of first-floor retail uses;

WHEREAS, Cox proposes to continue the operation of the Garage in a way that serves local business employees and customers, area visitors and the residents of its Cox Building redevelopment project, including by means of exterior upgrades to the Garage in order to present a more progressive artistic presentation for the of the neighborhood;

WHEREAS, Cox and its affiliates have experience in the design, engineering, and construction of parking garages in Syracuse, in the repair and installation/maintenance of parking garage deck surfacing and they have ownership stakes in several garages in Syracuse;

WHEREAS, Cox intends to subcontract the daily operation of the Garage to Syracuse Parking Services, which currently owns and operates 26 parking garages and surface lots in and around Upstate New York.

WHEREAS, the Purchaser proposes to purchase the Garage for the sum of \$2,500,555, which exceeds the Garage's independently appraised value of \$2,285,000;

WHEREAS, the Purchaser proposes to assume title to the Garage subject to existing easements, leases and parking agreements, including but not limited to a 400-space parking agreement and a bridge maintenance agreement with Sibley Redevelopment Limited Partnership, an easement for bus passenger shelters to the Rochester Genesee Regional Transportation Authority and a non-exclusive perpetual easement reserving 30 parking spaces for City use without compensation to the Purchaser;

WHEREAS, the Purchaser proposes to maintain the Garage's current parking fee rates through to the end of June, 2025, provided that, if the City raises its parking fee rates at other garages, the Purchaser may do so at the same dollar amount; and

WHEREAS, the Purchaser's proposal acknowledges and agrees that the Garage will be assessed full real property taxes without any special tax abatement after the purchase.

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

Section 1. The Council hereby approves the sale of the Garage to the Cox Rochester LLC, or an entity to be formed by that firm, for the sum of \$2,500,555, subject to the terms set forth in the foregoing and following provisions herein and to such additional terms and conditions as the Mayor deems appropriate.

Section 2. The Council hereby further approves the granting and acceptance of any easements for utilities, ancillary development, and public access to and within the Garage, as necessary to effectuate the terms and purposes of the Purchaser's proposal.

Section 4. 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 appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Harris
August 22, 2023

To the Council:

The **RECREATION & HUMAN SERVICES COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 326 Authorizing an intermunicipal grant agreement to support recreation and positive youth development programming
- Int. No. 327 Authorizing an agreement relating to the Flower City Public Health Corps
- Int. No. 328 Authorizing an agreement and amending the 2023-24 Budget relating to the Drum Corps Associates World Championship

Respectfully submitted,
LaShay D. Harris
Willie J. Lightfoot
Stanley Martin
Mary Lupien
Miguel A. Meléndez, Jr.

RECREATION & HUMAN SERVICES COMMITTEE

Received filed and published
TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-290
Re: Grant Agreement - Monroe County, Rochester - Monroe County Youth Bureau

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with the County of Monroe, on behalf of the Rochester-Monroe County Youth Bureau (Executive Director, Anthony Jordan), for the receipt and use of a \$40,762 grant to support recreation and positive youth development programming. These funds were anticipated and included in the 2022-23 and 2023-24 Budgets of the Department of Recreation and Human Services. The term of the inter-municipal agreement will be from January 1, 2023 thru September 30, 2023 and the funds will be used to reimburse the City for recreation programming that took place during that period. This grant has been received retroactively from the County each year.

The Rochester-Monroe County Youth Bureau receives funding annually from the New York State Office for Children and Family Services (OCFS) for youth development activities and awards a portion of these funds to the City. In 2023, this grant is being used to fund part-time Refs on the Move positions and supplies for youth athletics leagues, sports clinics and youth development programs which collectively serve more than 7,000 youth participants. These positions are utilized at the Rochester Community Sports Complex and Genesee Valley Sports Complex sites and help facilitate our youth sports leagues and clinics such as basketball, football, softball/baseball, soccer, rugby and lacrosse.

The Rochester-Monroe County 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 most recent Council action on this item was by Ordinance No. 2023-17. The City has received this grant for more than 15 years.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-290
(Int. No. 326)

Authorizing an intermunicipal grant agreement to support recreation and positive youth development programming

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the County of Monroe for the receipt and use of \$40,762 to support recreation and positive youth development programming. The term of the agreement shall extend for nine months.

Section 2. The agreement authorized herein shall have such additional 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. 2023-291
Re: Grant Agreement - New York State Office of Children and Family Services, AmeriCorps and Center for Disease Control

Council Priority: Jobs and Economic Development; Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing the receipt and use of a \$690,979 grant award from the New York State Office of Children and Family Services (NYS OCFS) for the Flower City Public Health Corps Program. The term of this grant will be from September 1, 2023, to November 30, 2024, as previously authorized by ordinance No. 2022-227. This is the second term of the grant. The grant was anticipated and included in the 2023-24 Budgets of the Department of Recreation and Human Services (DRHS) and Undistributed Expenses and will be anticipated and included in the 2024-25 Budgets of DRHS and Undistributed Expenses, contingent upon approval. The Public Health AmeriCorps grant program is a joint collaboration between the Center for Disease Control and the U.S. Corporation for National and Community Service, however the funds for the program go through the New York State Office of Children and Family Services.

The goal of the Flower City Public Health Corps Program is to inspire and prepare the next wave of public health professionals by providing the skills, information, and experience needed for success as they serve at local organizations working to mitigate the public health crisis in our community. Twenty-Six AmeriCorps members will be selected to provide one year of service through placement at various City Departments including in DRHS and NBD, as well as several nonprofit organizations including Jordan Health Center, URMC Center for Community Health, the Latino Youth Development Outreach Center, Monroe County Public Health Department, Urban League, etc. Members will engage the community in development, public health education, health and wellness activities and community building programming. Three full-time DRHS staff will perform oversight of the program.

AmeriCorps members are volunteers and, if serving full time (40 hours per week), will receive a \$17,600 annual “living allowance” and an education award of \$6,345 upon successful completion of the program. AmeriCorps members serving half time (20 hours per week) will receive an \$8,800 annual “living allowance” and an education award of \$3,172.50 upon successful completion of the program.

The Flower City Public Health Corps grant was last authorized in July 20, 2022 via Ordinance No. 2022-227.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-291
(Int. No. 327)

Authorizing an agreement relating to the Flower City Public Health Corps

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 Children and Family Services for the receipt and use of a grant of \$690,979 for the second term of the Flower City Public Health Corps program (Program). The term of the agreement shall extend from September 1, 2023 through November 30, 2024 as previously authorized in Ordinance No. 2022-227.

Section 2. The agreement shall have such additional 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. 2023-292
Re: Agreement – Greater Rochester Visitors Association - Drum Corps Associates World
Championship

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Drum Corps Associates World Championship to be held at the Rochester Community Sports Complex. This legislation will:

1. Authorize an agreement with Greater Rochester Visitors Association (Don Jeffries, President and CEO - 45 East Avenue, Suite 400 Rochester, NY 14604) for the receipt and use of \$18,343 in sponsorship of the two-day Drum Corps Associates World Championship event to be held on September 3-4, 2023.
2. Amend the 2023-24 Budget of the Department of Recreation and Human Services by \$18,400 to reflect this sponsorship.

Drum Corps Associates (DCA) is a governing body for modern all-age and senior drum and bugle corps in North America. DCA's responsibilities include sanctioning competitions, certifying adjudicators, maintaining and enforcing rules of competition, and hosting an annual World Championship during Labor Day weekend. Rochester will host this event in 2023. In 2016 and 2017 over 10,000 people attended the event over each weekend. In 2022, they returned to Rochester and hosted the first live performances since 2019 to a crowd of approximately 6,600 attendees.

Visit Rochester is the official tourism promotion agency for Monroe County. Their mission is to sell and market Greater Rochester as a preferred destination—for business and leisure travel—in order to grow and maximize visitor spending and to enhance the economy. Tourism plays a major role in the economy of Monroe County as well as the entire Finger Lakes region. To this end, Visit Rochester builds and maintains relationships with hundreds of organizations and businesses in the community that work to attract visitors to Monroe County, in turn growing the overall economic impact of the tourism and hospitality industry in the county and the Finger Lakes region as a whole. The membership-based organization with more than 400 members that represent local lodging, retail, restaurants, services, and community organizations that all strive to provide the best visitor experience.

The funds provided by Visit Rochester will be used to reimburse the City for a portion of the event expenses including box office, security, and emergency medical services.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-292
(Int. No. 328)

Authorizing an agreement and amending the 2023-24 Budget relating to the Drum Corps Associates World Championship

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 Visitors Association Inc. for the City's receipt and use of a grant of \$18,343 to support the three-day Drum Corps Associates World Championship (Program). The term of the agreement shall extend for six months.

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

Section 3. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by appropriating revenues in the amount of \$18,400 to the Budget of the Department of Recreation and Human Services, which amount is hereby appropriated for the Program.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By President Meléndez
August 22, 2023

To the Council:

The **PUBLIC SAFETY COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

Int. No. 329 Authorizing an agreement related to the 2023 State Law Enforcement
Terrorism Prevention Program grant

Int. No. 330 Amending the 2023-24 Budget to carry over unspent grant funds for the Police
Department

Respectfully submitted,
Miguel A. Meléndez Jr.
Mary Lupien
Mitch Gruber
Lashay D. Harris
Willie J. Lightfoot
Stanley Martin (*voted against Int. Nos. 329 & 330*)
Michael A. Patterson
Jose Peo
Kimberly Smith
PUBLIC SAFETY COMMITTEE

Received filed & published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-293
Re: Grant Agreement – New York State Division of Homeland Security and Emergency Services

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

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 \$214,500 for a FY2023 State Law Enforcement Terrorism Prevention Program grant. The term of the grant is September 1, 2023 through August 31, 2026. No matching funds are required.

The grant will be used to purchase diving equipment and training for the SCUBA squad; night vision equipment, a robot, training ammunition and ballistic shields for the SWAT team; explosive ordnance disposal backpacks, belts, demolition kits and a detonator diagnostic trainer for the BOMB squad; and a transport van for the Mobile Field Force. RPD has received this grant for over ten years.

Respectfully submitted,
 Malik D. Evans
 Mayor

Ordinance No. 2023-293
 (Int. No. 329)

Authorizing an agreement related to the 2023 State Law Enforcement Terrorism Prevention Program 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 the receipt and use of \$214,500 for the 2023 State Law Enforcement Terrorism Prevention Program Grant. The term of the agreement shall extend from September 1, 2023 through August 31, 2026.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Meléndez, Councilmembers Gruber, Harris, Lightfoot, Patterson, Peo, Smith - 7.

Nays - Vice President Lupien, Councilmember Martin - 2.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2023-294
 Re: Budget Amendment – 2023-24 Budget of the Police Department and Undistributed

Council Priority: Public Safety

Transmitted herewith for your approval is legislation amending the 2023-24 Budget of the Police Department by \$162,400 and Undistributed by \$29,900 to reflect the balance of carryover funds from existing grants. The funds are itemized below, and will be used for their original intended purpose.

GRANT	RPD Carryover	Undist. Carryover
2023 Motor Vehicle Theft Grant – over 10 years	\$4,400	\$0
Pedestrian Safety Grant – 3 rd time	\$33,700	\$0
Improving Criminal Justice Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking Grant – more than 10 years	\$7,100	\$2,500
2023 Stop DWI – over 10 years	\$6,400	\$1,300

2023 High Visibility Engagement Campaign – 9 years (Previously Stop DWI Crackdown grant)	\$1,900	\$0
Project Safe Neighborhoods	\$73,900	\$26,100
Lyell Otis	\$35,000	\$0
Total	\$162,400	\$29,900

The Motor Vehicle Theft Grant provides funding to support the reduction of auto theft and insurance fraud. These funds will be used for overtime to support Police Department motor vehicle theft and insurance fraud investigations, and training in trends and techniques for successful investigations.

The goal of the Pedestrian Safety Grant is to reduce the number of vehicle crashes, injuries and deaths, with a focus on pedestrian-involved vehicle accidents. The funds are used to pay for police overtime for enforcement details.

Improving Criminal Justice Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking Grant is provided through Monroe County. RPD’s portion of the funds are used to support the cost of overtime and associated fringe for the Domestic Abuse Response Team to respond to targeted domestic violence situations.

The Stop DWI grant is used for enhanced detection and enforcement of driving while intoxicated and related offenses for the calendar year. Supported activities include expenses for Stop DWI overtime details and associated fringe costs, supplies, training, breathalyzer calibration, and underage alcohol sales enforcement.

The High Visibility Engagement Campaign grant provides overtime for police officers and, as necessary, for police experts to detect drug abuse in drivers during busy seasons and holiday weekends.

Project Safe Neighborhoods provides funds for police overtime which will be used on efforts to intervene in violent retaliatory gang-involved disputes.

The Lyell Otis Neighborhood Safety Improvement Project provides funds for police overtime to conduct security surveys with businesses and residents in the neighborhood and fund improvements in lighting and other structural or environmental changes to enhance security.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-294
(Int. No. 330)

Amending the 2023-24 Budget to carry over unspent grant funds for the Police Department

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

Section 1. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by the sum of \$162,400, and by increasing the revenue estimates and appropriations to the Budget of Undistributed Expenses by the sum of \$29,900, which amounts are hereby appropriated from unspent grant funds appropriated in previous budgets as shown below. Said funds shall be used for their original purposes.

Grant	RPD Carryover	Undistributed Carryover
2023 Motor Vehicle Theft Grant	\$4,400	\$0
Pedestrian Safety Grant	\$33,700	\$0
Improving Criminal Justice Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking Grant	\$7,100	\$2,500
2023 Stop DWI	\$6,400	\$1,300
2022 High Visibility Engagement Campaign	\$1,900	\$0
Project Safe Neighborhoods	\$73,900	\$26,100
Lyll Otis	\$35,000	\$0
TOTAL	\$162,400	\$29,900

Section 2. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays - Councilmember Martin - 1.

By Councilmember Gruber
August 22, 2023

To the Council:

The **FINANCE COMMITTEE** recommends for **ADOPTION** the following entitled legislation:

- Int. No. 331 Authorizing an agreement related to Children Savings Accounts
- Int. No. 332 Authorizing an amendatory agreement related to homeownership grants
- Int. No. 333 Appropriating funds and authorizing an amendatory agreement related to implementation of an enterprise software solution for the Parking and Municipal Code Violations Bureau
- Int. No. 334 Resolution approving an appointment to the Rochester Civil Service Commission
- Int. No. 335 Authorizing an intermunicipal agreement related to the Career Pathways to Public Safety program
- Int. No. 336 Authorizing an agreement relating to the Supervisory Skills Training program

- Int. No. 337 Amending the 2023-24 Budget for the Healthy Food Loan and Grant program
- Int. No. 338 Authorizing an agreement relating to the 2023 Rochester Fringe Festival
- Int. No. 339 Authorizing the cancellation or refund of erroneous taxes and charges
- Int. No. 340 Authorizing a grant agreement relating to library outreach services
- Int. No. 341 Amending Ordinance No. 2023-88 relating to a grant agreement for the preservation of historic society collections
- Int. No. 342 Authorizing amendatory agreement to administer the general liability insurance program

Respectfully submitted,
 Mitch Gruber
 Michael A. Patterson
 Kimberly Smith
 Mary Lupien
 Miguel A. Meléndez, Jr.
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2023-295
 Re: Children Savings Account Planning PSA with Prosperity Now

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the design and implementation of a Children Savings Account (CSA). This legislation will establish \$81,706 maximum compensation for an agreement with Prosperity Now (Gary Cunningham, 1200 G Street NW, Suite 400, Washington DC 20005) to provide hands on technical assistance to design, pilot, and implement a CSA. The agreement will be funded from the 2023-24 Budget of the Office of the Mayor utilizing a portion of the \$244,000 “Children Savings Account Planning” grant from the ESL Foundation, authorized under Ord. 2023-271. Prosperity Now is the leader in technical assistance and program design for CSAs in the United States. Prosperity Now has helped dozens of cities across the country design and launch CSAs, including major cities such as Los Angeles, San Francisco, and midsize cities such as Tacoma, Washington. Prosperity Now will support the City in creating and executing a CSA implementation plan, programmatic design decisions, developing a multi-year budget, program logic model, creating outreach materials, developing an executing a community engagement strategy, and building buy-in from local stakeholders.

The term of the agreement will be eighteen months.

Respectfully submitted,
 Malik D. Evans
 Mayor

Attachment No. AW-175

Ordinance No. 2023-295
(Int. No. 331)

Authorizing an agreement related to Children Savings Accounts

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 Prosperity Now to provide hands on technical assistance to design, pilot, and implement a Children Savings Account program for the City (the Program). The maximum compensation for the agreement shall be \$81,706, which shall be funded from the 2023-24 Budget of the Office of the Mayor. The term of the agreement shall be eighteen months.

Section 2. The agreement authorized herein shall have such additional 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. 2023-296
Re: Rochester Housing Authority & Financial Empowerment Center PSA

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the City's Financial Empowerment Center program. This legislation will:

Authorize an amendatory agreement with Rochester Housing Authority (Shawn Burr, Executive Director, 675 West Main Street, Rochester, New York 14611) to provide Financial Empowerment Center (FEC) clients transitioning from the Section 8 Rental Voucher to the Homeownership Program with \$1,000 grants. The original agreement, authorized in Ord. 2022-42 established maximum compensation of \$30,000 and a one-year term. The agreement was then amended to extend the term to September 30th, 2023 as authorized in Ord. 2023-60. This amendment will extend the contract by one additional year to September 30, 2024.

Clients of the FEC who attend three financial counseling sessions and close on a home through the Rochester Housing Authority's Homeownership Program receive \$1,000 grants to support their transition to homeownership. These individuals are able to utilize the Section 8 Voucher for their mortgage payments. Since the start of this partnership, 16 Section 8 Voucher recipients have been able to leverage this program to support their transition to homeownership. This program is funded through ESL.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-296
(Int. No. 332)

Authorizing an amendatory agreement related to homeownership grants

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 Rochester Housing Authority to continue to provide \$1,000 grants to Financial Empowerment Center clients transitioning from Section 8 Rental Vouchers to the Homeownership Program. The agreement for that purpose authorized by Ordinance No. 2022-42 and amended by Ordinance No. 2023-60 is hereby amended to extend the term one year through September 30, 2024.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-297

Re: Appropriation - American Rescue Plan Act, Infor Parking and Municipal Codes Violation 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 use of American Rescue Plan Act (ARPA) funding to implement an enterprise software solution for the City Finance Department's Bureau of Parking and Municipal Codes Violation Bureau (MCVB) within the existing Infor Public Sector application. These initiatives will allow the City to replace two critical Mainframe systems. This legislation will:

1. Appropriate \$900,000 in ARPA funding to procure software licensing and professional implementation services for Infor's Public Sector Asset Management Module.
2. Authorize an amendatory agreement that adds \$1,104,240 to the maximum compensation of the professional services agreement with Visionary Integration Professionals, LLC (VIP) (Jonna Ward, CEO, 80 Iron Point Circle, Suite 100 Folsom, California 95630), originally authorized in Ordinance No. 2021-265 and previously amended in Ordinance 2022-361, Ordinance No. 2023-135, and Ordinance No. 2023-269. This amendment will increase the maximum authorized compensation from \$6,935,240 to a total of \$8,039,480. This increase will provide professional services for the implementation of Infor Public Sector's Community Development and Regulation (CDR) module for management and adjudication of the City's Parking and Municipal Code Violation tickets. The cost of this increase will be funded as follows:
 - \$900,000 from American Rescue Plan Act (ARPA) funding as specified above
 - \$154,337 from 2021-22 Cash Capital
 - \$49,903 from 2023-24 Cash Capital

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). The Accounts Receivable enterprise solution project was included in the City of Rochester's Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021, and in an updated plan

shared at a Council Work Session on September 29, 2022. This project is an eligible use of ARPA funding under the Final Rule Expenditure Category 6.1 Provision of Government Services

The funds will be used to extend the existing agreement with Visionary Integration Professionals, LLC (VIP) to professionally implement a replacement to the City's current Mainframe and Microsoft Access solutions for Parking Enforcement and Municipal Code Violations Bureau in the City's Finance Department. This new solution will replace two legacy Mainframe and Access solutions which are highly outdated, difficult to configure, expensive to maintain, and pose a risk of business disruption due to failure of these aging systems. The new solution will also be built and integrated directly into existing processes that result in the issuance of tickets, such as building and fire code enforcement, as an example, which will provide improved efficiency and cross-departmental communication through these integrated processes.

The new solution will also include improved workflow and processing capabilities for internal staff to enhance the efficiency of operations and quality of data, as well as offering upgraded online billing and payment functionality for customers to access invoices, make on-line payments, view payment history, and submit service requests.

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 the City currently utilizes Infor Public Sector for permitting, licensing, and code enforcement in NBD and already includes cashiering and financial configuration that is currently integrated with the City's financial system. VIP also 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 contract with Visionary Integration Professionals, LLC for the Infor implementation was authorized by Council Ordinance 2021-318. It is anticipated that implementation of the new modules will begin in September 2023, and that the modules will be launched in production by December 2024. The balance of the appropriation will be included in future budgets of the Department of Information Technology, contingent upon their approval, for maintenance costs.

The term of the agreement is five years from the initial agreement date of 9/1/2021.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-176

Ordinance No. 2023-297
(Int. No. 333)

Appropriating funds and authorizing an amendatory agreement related to implementation of an enterprise software solution for the Parking and Municipal Code Violations Bureau

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

Section 1. The Council hereby appropriates \$900,000 in funds provided to the City by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to procure software licensing and professional implementation services for the Parking and Municipal Code Violations Bureau (the Project).

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Visionary Integration Professionals, LLC to amend the terms of the original agreement authorized in Section 2 of Ordinance No. 2021-265 and amended by Ordinance Nos. 2022-361, 2023-135, and 2023-269 to increase the maximum compensation by \$1,104,240 to a new maximum

total of \$8,039,480. The amendatory compensation shall be funded in the amounts of \$900,000 from the ARPA funds allocated in Section 1 herein, \$154,337 from 2021-22 Cash Capital, and \$49,903 from 2023-24 Cash Capital.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2023-25
Re: Appointment Civil Service Commission for the City of Rochester

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation confirming the appointment of Orlando Rivera, 737 Flower City Park, Rochester, New York 14615, to the Civil Service Commission for the City of Rochester.

Mr. Rivera will replace Fernan Cepero who resigned from the Commission on April 20, 2023. Mr. Rivera is a Republican and will serve the remainder of Mr. Cepero's term, which will extend to May 31, 2027.

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

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

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-177

Resolution No. 2023-25
(Int. No. 334)

Resolution approving an appointment to the Rochester Civil Service Commission

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

Section 1. The Council hereby approves the appointment of Orlando J. Rivera to the Rochester Civil Service Commission for a term which shall expire on May 31, 2027.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-298
Re: Inter-Municipal Agreement – Rochester City School District, Career Pathways to Public Safety Program

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing an inter-municipal agreement with the Rochester City School District for the Career Pathways to Public Safety Program. The Career Pathways to Public Safety Program is a partnership between the District and the City to increase career awareness and employment opportunities for students from underrepresented groups in uniformed public safety positions.

District students enrolled in the Career Pathways to Public Safety Program are given the opportunity to explore careers in emergency communications, emergency medical services, firefighting, and law enforcement. The program is designed to reinforce students basic skills in English, mathematics, and science appropriate for their selected public safety career. In addition, the program will focus on providing the students with broad transferable skills and stresses understanding and demonstration of the following elements of the public safety industry; history, health and safety, community service, underlying principles of public safety industry technology, and labor issues including general management and operational perspectives.

The Career Pathways to Public Safety Program began in 2013 when the City collaborated with the District to reorganize the Fire Fighter Trainee program, which was originally established at East High School over 25 years ago. The reorganization of the Fire Fighter Trainee program at that time expanded the program to include the other public safety disciplines. The program was temporarily suspended before the 2021-2022 School Year due to complications related to the COVID-19 pandemic and under this inter-municipal agreement will resume in the 2023-2024 School Year through the end of the 2026-2027 School Year.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-298
(Int. No. 335)

Authorizing an intermunicipal agreement related to the Career Pathways to Public Safety 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 intermunicipal agreement with the Rochester City School District for the Career Pathways to Public Safety program (the Program). The term of the agreement shall be four years.

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

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays - None - 0.

Councilmember Harris abstained due to a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-299
Re: Agreement – The Jackman Group LLC, Supervisory Skills Training Programs

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation establishing \$225,300 as maximum compensation for an agreement with The Jackman Group LLC (Patrick Jackman, Principal) of Brockport, New York, for the design and delivery of a supervisory skills training program for approximately 150 City employees hired or promoted into first and second line supervisory positions and three (3) LeadOn One Day Supervisor training sessions per year. The term of the agreement will be for three (3) years and will be funded from the 2023-24(\$75,100), 2024-25 (\$75,100), and 2025-26 (\$75,100) Budgets of Undistributed Expenses, contingent upon approval of future budgets.

Since 2012, the City has required all employees in first and second line supervisory positions to complete supervisor skills training. To date, 375 employees have completed this training. Training modules include, but are not limited to, leadership development, supervising a diverse team/workforce, effective time management, delegating, decision-making and problem-solving, coaching for supervisors, effective communication, developing high performing employees, establishing and achieving desired performance goals, and assessing employee performance and development. In addition, employees within this program will receive training by City staff on relevant City policies and procedures of labor relations, grievance and disciplinary procedures, sexual harassment and workplace violence, employee safety, civil service.

The Jackman Group, LLC. has successfully provided this service for the City since 2020, which was approved by Ordinance No. 2020-21, and were selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-178

Ordinance No. 2023-299
(Int. No. 336)

Authorizing an agreement relating to the Supervisory Skills Training program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Jackman Group for the design and delivery of a supervisory skills training program for approximately 150 City employees hired or promoted into first and second line supervisory positions and three LeadOn One Day Supervisor training sessions per year (the Program). The maximum compensation for the agreement shall be \$225,300. The term of the agreement shall be three years, which shall be funded from \$75,100 from each of the 2023-24, 2024-25 and 2025-26 Budgets of Undistributed Expenses, contingent upon the approval of future budgets.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-300
Re: Amending 2023-24 Budget for Healthy Food Loan and Grant program advertising

Council Priority: Creating and Sustaining a Culture of Vibrancy, Rebuilding and Strengthening Neighborhood Housing, Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods, Sustaining Green and Active Systems, Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation to amend the 2023-24 Budget of the Mayor's Office by \$200,000 to reflect a portion of the \$5,000,000 in American Rescue Plan Act (ARPA) dollars that were previously appropriated to the Healthy Food Loan and Grant Program via Ordinance 2022-299.

The goal of the Healthy Food Loan and Grant Program is to invest in activities that increase healthy food access for city residents in areas of the city with limited healthy food resources. A portion of the \$5,000,000 in Healthy Food Loan and Grant Program ARPA funds was reserved to kick off an advertising and in-store marketing campaign that will support existing businesses within the city that provide an array of healthy food choices.

The campaign, titled "Your Healthy ROC Grocer," will provide in-store point-of-sale materials to increase awareness of and encourage purchase of healthier food choices, and outdoor signage to alert the neighborhood and those passing by that healthy food is available in that location. Collateral materials, an interactive web page, and paid advertising will increase awareness of the brand, ensuring people who see the branded signage recognize what it means and can find a Healthy ROC Grocer near them.

Depending on the success of the first 18 months of the program, the administration may recommend that the "Your Healthy ROC Grocer" program be extended beyond 2024.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-300
(Int. No. 337)

Amending the 2023-24 Budget for the Healthy Food Loan and Grant program

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

Section 1. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Office of the Mayor by \$200,000 to fund communications and advertising initiatives related to the Healthy Food Loan and Grant program (Program). The funds shall be allocated from a portion of the American Rescue Plan Act funds appropriated to the Program in Ordinance No. 2022-299.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-301
Re: Agreement – Rochester Fringe Festival, Inc., 2023 Rochester Fringe Festival

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$60,000 as maximum compensation for an agreement with the Rochester Fringe Festival, Inc. (President: Erica Fee) to provide free, family-friendly programming throughout the event. The cost of the agreement will be funded from the 2023-24 Budget of Communications. The term will be for one year.

The 2023 Rochester Fringe Festival (Fringe) brings together venues, performers and artists to engage diverse audiences through an innovative, entertaining and thought-provoking annual multiarts festival in Rochester. The festival includes theatre, comedy, family entertainment, music, dance, physical theatre, street theatre, musical theatre, opera, and the spoken word.

The 2023 Fringe will be held September 12-23 and will include hundreds of shows in more than 20 downtown venues, as well as free, outdoor entertainment. The City funds appropriated herein will help to defray the costs of a variety of free, family-friendly performances and spaces, including shows at Dr. Martin Luther King, Jr. Park, Parcel 5, and 1 Fringe Place (at the corner of Main and Gibbs Streets).

Last year, an agreement for \$55,000 was approved via Council Ordinance 2022-147. In 2022, for the first time since 2019, the Fringe returned to full capacity, drawing more than 90,000 people downtown. The Fringe is a City-sponsored event that applied for support through the annual Special Events Funding Application (or SEFA) process. New this season, the City will enhance its cash sponsorship for all events receiving SEFA funding with in-kind equipment rental from the Department of Environmental Services.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-301
(Int. No. 338)

Authorizing an agreement relating to the 2023 Rochester Fringe Festival

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 Fringe Festival, Inc. to provide free, family-friendly programming for the 2023 Rochester Fringe Festival. The maximum compensation for the agreement shall be \$60,000, which shall be funded from the 2023-24 Budget of Communications. The term of the agreement shall be one year.

Section 2. The agreement shall have 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. 2023-302
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 \$22,260.95.

The owners of 150 Verona Street challenged the tentative assessment at the Board of Assessment Review on March 30, 2023 and were successful in getting it lowered to \$5,520,000. However, due to a clerical error, the new value was not entered into the assessment system.

Flower City Noire Collective, Inc. is a not for profit organization that purchased the property located at 383 West Avenue on 9/15/2021 from Spiritus Christi Prison Outreach, Inc. which is also a not for profit organization. The property has been tax exempt under the former owner and when the deed came through, Flower City Noire had not submitted their not for profit exemption applications yet. Therefore, supplemental taxes were processed. When Flower City Noire had submitted their exemption applications and was approved, due to a clerical error, it was not removed from the supplemental list.

If these cancellations are approved, total cancellations thus far for 2023-24 will be as follows:

	Accounts	
City Council	2	\$22,260.95
Administrative	<u>0</u>	<u>\$0.00</u>
Total	2	\$22,260.95

These cancellations represent 0.0085% of the tax receivables as of July 1, 2023.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-179

Authorizing the cancellation or refund of erroneous 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)	S.B.L. #	Class	Address	Tax Year	Amount Cancelled
	106.77-1-1.002	N	150 Verona Street	2024	\$16,480.32

The owners of 150 Verona Street challenged the tentative assessment at the Board of Assessment Review on March 30, 2023 and were successful in getting it lowered to \$5,520,000. However, due to a clerical error, the new value was not entered into the assessment system.

(B)	S.B.L. #	Class	Address	Tax Year	Amount Cancelled
	120.48-3-1	N	383 West Avenue	2023	\$5,780

Flower City Noire Collective, Inc. is a not for profit organization that purchased the property located at 383 West Avenue on 9/15/2021 from Spiritus Christi Prison Outreach, Inc. which is also a not for profit organization. The property has been tax exempt under the former owner and when the deed came through, Flower City Noire had not submitted their not for profit exemption applications yet. Therefore, supplemental taxes were processed. When Flower City Noire had submitted their exemption applications and was approved, due to a clerical error, it was not removed from the supplemental list.

GRAND TOTAL \$22,260.95

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. 2023-303
Re: Library Outreach Services

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the receipt and use of Dormitory Authority of the State of New York (DASNY) State and Municipal Program funds in the amount of \$100,000 for purchase of an outreach van and retrofit for use as an outreach support service.

Funding was solicited through Senator Jeremy Cooney in support of the service to be based out of the Lyell Branch Library (956 Lyell Avenue, Rochester 14606). The Rochester Institute of Technology's College of Art & Design (RIT) will provide students with a fall 2023 project to assist in

the retrofitting of the van for mobile services. RPL staff and RIT will collaborate on the best solutions to provide in-van access, mobile cart and display shelving, and rapid loading of supplies with build specifications to bid by late 2023. The RPL anticipates mobile services to begin in spring 2024.

Mobile services will include supporting senior care and adult day supervision sites; increased resources to support the school program at the Monroe County Jail; and participation with programs serving adults on probation and participants in the Rochester Correctional Facility Work Release Program. Where possible the van will attend community events (festivals, public markets, etc.) to increase exposure and awareness of library services. Children's mobile services will include story times at daycare centers not part of *Raising A Reader* and with no transportation access to a library; partnering with DHR *Recreation on the Move* for community events; and delivering free library materials to community locations.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-303
(Int. No. 340)

Authorizing a grant agreement relating to library outreach 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 grant agreement with Dormitory Authority of the State of New York for the receipt and use of State and Municipal Program funds in the amount of \$100,000 for the purpose of purchasing an outreach van and retrofitting said van for use in outreach support services.

Section 2. The agreement shall have such additional 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. 2023-304
Re: NYS Grant for Historic Society Collections

Council Priority: Support the creation of effective educational systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods – Historic Preservation

Transmitted herewith for your approval is legislation relating to a \$50,000 grant from the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) to fund the preservation of the historic collections of the Rochester Historical Society (Project).

In Ordinance No. 2023-88, Council authorized the Mayor to enter into a Program grant agreement with NYSOPRHP and appropriated the grant money to engage The Landmark Society of Western New York, Inc. to implement the Project.

At the request of NYSOPRHP, this legislation confirms that the City:

1. Will abide by a specified set of terms and conditions that NYSOPRHP applies to its grants for non-construction projects of \$50,000 or less; and
2. Authorize the Mayor to sign on the City's behalf all legal documents regarding the Project grant and that one such signature will bind the City to abide by the terms and conditions of a master contract with NYSOPRHP that the Mayor will be required to execute.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-304
(Int. No. 341)

Amending Ordinance No. 2023-88 relating to a grant agreement for the preservation of historic society collections

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

Section 1. Section 1 of Ordinance 2023-88, Accepting a grant, amending the 2022-23 Budget and authorizing agreements relating to the preservation of historic society collection, is hereby amended to read as follows:

Section 1. The Mayor is hereby authorized to enter into a grant agreement with the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) for the receipt and use of a NYSOPRHP Legislative Initiative Grant of \$50,000 to fund inventory and assessment services, consultation with the Rochester Public Library and other Project stakeholders, relocation and other activities to preserve the historic collections of the Rochester Historical Society (the Project). The Council hereby acknowledges and affirms that:

A. administration of all funds under this grant will be in accordance with all terms and conditions contained in the Guidelines for Non-Construction Projects \$50,000 and Under dated July 2022; and

B. Malik D. Evans, as Mayor of the City of Rochester, is hereby authorized to sign legal documents on behalf of our organization and that such signature is acknowledgement of the acceptance by this body of compliance with all terms and conditions of the Master Contract for Grants Contract Number PKS -22-GE-901, to be executed for the grant.

Section 2. The agreements and documents authorized herein shall have such additional terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Underlining indicates new text

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-305
Re: Amendatory Agreement - Omni Underwriting Managers LLC, General Liability Insurance Program Administration

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation for an amendatory professional services agreement with Omni Underwriting Managers LLC (Daniel K. Conley, Partner, Buffalo, New York) (Omni) to administer the City's general liability insurance program (Insurance Services).

Omni is providing the Insurance Services at present as the corporate successor to USI Insurance Services LLC, the company authorized by Ordinance No. 2018-257 to provide the services for a term of five years. The present legislation authorizes an amendatory agreement that will extend Omni's Insurance Services for an additional term of three years. The maximum compensation for the first year of the extended term, \$100,000, will be funded from the 2023-23 Budget of Undistributed Expenses. The maximum compensation for years, \$102,000 and \$104,000, respectively, will be funded from subsequent years' budgets of Undistributed Expenses, contingent upon approval.

The City is self-insured for most claims. That requires the City to have a general liability insurance program to review and administer claims and payments. The Insurance Services provided by Omni will support that program in several ways, including the review of liability claims, the establishment of adequate reserves for possible settlement of claims, the processing of payments, the maintenance of records and preparation of periodic management reports.

Previously, the management of the Insurance Services agreement was housed within the Finance Department. That function will now be assigned to the Law Department, because that department has significantly more day-to-day interaction with the consultant.

The City has contracted with private organizations for the administration of this program since the inception of its self-insurance program in 1979. USI Insurance Services and now its corporate successor Omni have been the provider since 2012.

A no RFP justification is attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-180

Ordinance No. 2023-305
(Int. No. 342)

Authorizing amendatory agreement to administer the general liability insurance 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 Omni Underwriting Managers LLC (Omni) to administer the City's general liability insurance program. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2018-257 to acknowledge that Omni is the corporate successor to the obligations of USI Insurance Services LLC, to extend the term for an additional three years, and to set the maximum compensation for each of the three years as follows. The maximum compensation for the first year, \$100,000, shall be funded from the 2023-24 Budget of Undistributed Expenses and the maximum compensation for the second and third years, \$102,000 and \$104,000, respectively, shall be funded from subsequent years' budgets of Undistributed Expenses, contingent upon approval.

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.

The meeting was adjourned at 7:31 pm.

HAZEL L. WASHINGTON
City Clerk