

ROCHESTER CITY COUNCIL

REGULAR MEETING

December 19, 2023

Present – President Meléndez, Councilmember Gruber, Harris, Lightfoot, Lupien, Patterson, Peo, Smith – 8.

Absent – Councilmember Martin – 1.

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

THE COUNCIL PRESIDENT --- RECOGNITION CEREMONIES.

Special Recognitions:

Monroe High School Football Team-Class B Champions

East High School Football Team-Class A Champions

Firefighter Recognitions:

Stuart Kenyon
Charles Muttay
Gregory Ransom Jr.
Samuel Torres

Retirement:

DES:

Mark J. Miraglia

Library:

Jay V. Fleming

APPROVAL OF THE MINUTES

By Councilmember Smith

RESOLVED, that the minutes of the Regular Meeting on November 14, 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. 428; **and Councilmember Gruber** on Int. No. 439.

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

THE COUNCIL PRESIDENT --- RECEIVED AND FILED

PUBLIC HEARINGS.

Pursuant to law, public hearings were held on December 14, 2023 on the following matters:

Amending the Official Map in relation to the abandonment and renaming of portions of Balfour Drive
Int. No. 411

No Speakers

Authorizing an amendatory agreement and the alteration of pavement widths for the 2024 Preventive
Maintenance Project Int. No. 414

No Speakers

Authorizing a long-term lease of a portion of 835-855 West Main Street to ESL Federal Credit Union
Int. No. 437

No Speakers

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

President Meléndez introduced a motion to consider Int. No. 440 without referring to a committee.
Moved by Councilmember Patterson; 2nd by Councilmember Lupien.
Motion to consider passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-363

Re: 2024 Statewide Preservation Conference - FY2023 Certified Local Government (CLG) Grant -
Landmark Society Management Agreement

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing the acceptance of a FY2023 Certified Local Government (CLG) grant from the New York State Office of Parks, Recreation, and Historic Preservation (NYS OPRHP) and a management agreement with The Landmark Society of Western New York, Inc. to organize and conduct the 2024 NY Statewide Preservation Conference in Rochester.

This legislation will:

- 1) Authorize an agreement with the State Historic Preservation Office (SHPO) of OPRHP for the receipt and use of a \$30,000 CLG grant;
- 2) Authorize an agreement with the Landmark Society of Western New York, Inc. (LSWNY) to

utilize the CLG grant to organize, promote and manage the 2024 NY Statewide Preservation Conference (Conference).

The LSWNY, in partnership with the City, the Preservation League of New York State and NYS OPRHP, will present the New York Statewide Preservation Conference in Rochester. This Conference is the only event of its kind in New York and is a multi-day gathering for anyone involved in preservation and community revitalization. The Conference will be returning to its home base in Rochester for the first time since 2019, when it was attended by approximately 310 participants. The Conference will offer educational and training opportunities for local municipalities' staff and preservation board and commission members. The CLG grant will support the execution of this educational event and will be critical to encouraging CLG communities to attend, including by means of providing up to 50 scholarships covering the admission fee for staff and preservation board members and commissioners from CLG communities throughout New York State.

The CLG grant support will allow Conference organizers to provide high quality educational sessions in professional settings, led by dynamic, diverse, and respected speakers. Of the \$30,000 awarded, approximately \$10,000 will fund speaker fees for the CLG Workshop; \$3,500 will fund the Keynote Speaker; \$7,500 will fund the aforementioned scholarships; approximately \$4,500 will fund honoraria and travel for speakers; and the approximate remaining amount of \$4,500 will help offset printing and mailing expenses, event photographer, venue rental, and audiovisual expenses.

The City of Rochester will engage LSWNY to administer the CLG grant funding. The lead Landmark staff person managing the project will be Conference Coordinator and Director of Preservation Outreach, Becky Timmons. LSWNY has organized the Conference for the past nine years and their staff has extensive experience managing grant projects and contracting with municipal officials to complete grant-funded projects.

LSWNY is uniquely qualified to oversee this work and to manage this grant, as it is one of the oldest and most active preservation organizations in the nation. LSWNY is a not-for-profit membership organization dedicated to protecting the unique architectural heritage of our region and to promoting preservation and planning practices that foster healthy, livable and sustainable communities.

A justification for not issuing a request for proposals is attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-215

Ordinance No. 2023-363
(Int. No 440)

Authorizing the receipt and use of funds and a management agreement for the 2024 NY Statewide Preservation Conference

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

Section 1. The Council hereby authorizes the receipt and use of \$30,000 in FY2023 Certified Local Government grant funds (Grant) from the State Historic Preservation Office of the New York State Office of Parks, Recreation and Historic Preservation, which is hereby appropriated for the City to host and sponsor the 2024 NY Statewide Preservation Conference (Conference).

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with The Landmark Society of Western New York, Inc. to manage the Conference. The maximum compensation for the agreement shall be \$30,000, which shall be funded from Grant appropriated in Section 1 herein. The term of the agreement shall be one year.

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

Section 4. This ordinance shall take effect immediately.

Adopted unanimously.

President Meléndez introduced a motion to consider Int. No. 441 without referring to a committee. Moved by Councilmember Lightfoot; 2nd by Councilmember Patterson. Motion to consider passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2023-34

Re: Statement of Necessity: Reappointments to the Board of Assessment Review

Transmitted herewith for your approval is legislation reappointing the following individuals to the Board of Assessment Review for terms that expire as follows:

Panel Member	Expiration Date
Kaitlin Skelton	September 30, 2028
Orlando Rivera	September 30, 2024
David Haygood	September 30, 2024
Dominic Bozzelli	September 30, 2024
Tony Celino	September 30, 2024
Renee Pritchard	September 30, 2024
Vito A. Eaffaldano	September 30, 2024
Chris Thomas	September 30, 2024
Tysharda Johnson-Thomas	September 30, 2024
Richard Goodwill	September 30, 2024

Resumes of the above appointees have been filed with the City Clerk and all appointees have maintained perfect attendance during the previous assessment review cycles when scheduled to serve.

This legislation should not be postponed to Council's January docket because the delay could interfere with training requirements. All Board members must attend annual training to be provided the Monroe County Real Property Tax Director, which will be scheduled for early in 2024. The Board members will not be admitted to participate unless they submit proof of their reappointment for the upcoming 2024 assessment review cycle.

Respectfully submitted,
Miguel A. Meléndez, Jr.
President

Resolution approving appointments to the Board of Assessment Review

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

Section 1. The Council hereby approves the reappointment of Kaitlin Skelton to the Board of Assessment Review for a term that expires on September 30, 2028.

Section 2. The Council hereby approves the reappointment of the following Board of Assessment Review temporary panel members for a term that expires on September 30, 2024.

Orlando Rivera
David Haygood
Dominic Bozzelli
Tony Celino
Renee Pritchard
Vito A. Eaffaldano
Chris Thomas
Tysharda Johnson-Thomas
Richard Goodwill

Section 3. This resolution shall take effect immediately.

Adopted unanimously.

**REPORTS OF STANDING COMMITTEES
AND ACTION THEREON**

By Councilmember Lightfoot
December 19, 2023

To the Council:

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

- Int. No. 412 Authorizing the sale of an abandoned portion of Balfour Drive
- Int. No. 413 Authorizing the acquisition by negotiation of permanent easements over 21 and 51 Hoeltzer Street for water hydrants
- Int. No. 415 Authorizing an intermunicipal agreement with the Rochester Housing Authority

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

- Int. No. 411 Amending the Official Map in relation to the abandonment and renaming of portions of Balfour Drive

Int. No. 414 Authorizing an amendatory agreement and the alteration of pavement widths for the 2024 Preventive Maintenance Project

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

Received filed and published

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-364
Ordinance No. 2023-365
Re: OBI, LLC Official Map Amendment – Partial abandonment of Balfour Drive and renaming a portion of O.K. Terrace

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the partial abandonment of Balfour Drive located adjacent to 47- 88 Balfour Drive. This legislation will:

1. Amend the Official Map by abandoning 17,731 square feet of Balfour Drive.
2. Rename the segment adjacent to 106 Balfour Drive to O.K. Terrace.
3. Approve the sale of the 17,731 square foot parcel, created by the abandonment, to the applicant OBI, LLC (255 Hollenbeck Street, Rochester NY) for \$10,000.00. This portion of Balfour Drive is owned in fee. Upon abandonment, the ROW becomes a parcel that will require purchase by the developer, OBI, LLC, from the City of Rochester. The market value of the property was established by an independent appraisal prepared by Bruckner, Tillet, Rossi, Cahill & Associates in August 2023.

The proposed abandoned right-of-way (ROW) will be incorporated with adjacent private properties, owned by OBI, LLC (McAlpin Industries) in order to reduce illegal activity, increase employee safety, and provide access to a future loading dock area.

This proposed legislation has been developed by the Department of Environmental Services (DES) in collaboration with the Department of Neighborhood and Business Development (NBD).

The City Planning Commission, at its October 30, 2023 meeting, recommended approval of Balfour Drive partial abandonment and renaming a portion of Balfour Drive to O.K. Terrace by a vote of 6-0-0. Minutes of that meeting, along with the application, are attached. The partial abandonment of Balfour Drive was endorsed by the Traffic Control Board at the July 5, 2023 meeting. The abandonment shall take effect upon the City Engineer or the City Engineer's designee affirming the satisfaction of conditions necessary for advancing the public interest and maintaining the general welfare.

A public hearing is required.
Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-216

Ordinance No. 2023-364
(Int. No. 411)

Amending the Official Map in relation to the abandonment and renaming of portions of Balfour Drive

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

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by changing and deleting therefrom the following described land parcel heretofore dedicated to street purposes:

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, State of New York, being more particularly bounded and described as follows:

BEGINNING at a point in the north street line of Balfour Drive (50 foot Right of Way) being distant 339.97 feet westerly along the north street line of Balfour Drive from its intersection with the west street line of Hollenbeck Street (49.5 foot ROW), thence:

- (1) S 01° 43' 31" E through Balfour Drive, 50.00 feet to a point in the south street line of Balfour Drive, thence:
- (2) The following courses and distances along the street line of Balfour Drive:
 - (a) S 88° 16' 29" W, 174.77 feet to a point and,
 - (b) S 01° 30' 46" E, 130.05 feet to a point, thence:
- (3) S 88° 29' 14" W through Balfour Drive, 50.00 feet to a point in the west street line of Balfour Drive, thence
- (4) The following courses and distances along the street line of Balfour Drive;
 - (a) N 01° 30' 46" W, 179.86 feet to a point; and
 - (b) N 88° 16' 29" E, 224.58 feet to the point and place of beginning,

comprising an area of 17,731 Sq. Ft. according to a survey prepared by MRB Group, D.P.C. entitled "ROW Abandonment Plan" dated February 2, 2023, Project No. 4041.23001 Sheet 1 of 4, G-1.

Section 2. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by renaming the portion of Balfour Drive, described as follows, as part of O.K. Terrace:

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, State of New York, being more particularly bounded and described as follows:

BEGINNING at a point marking the southeast corner of Balfour Drive (50 foot Right of Way) and the southwest corner of O.K. Terrace (50 foot ROW), said point being S 88° 29' 14" W, along the south street line of O.K. Terrace, 515.73 feet distant from its intersection with the west street line of Hollenbeck Street (49.5 foot ROW), thence;

- (1) The following courses along Balfour Drive:
 - (a) S 88° 29' 14" W, 50.00 feet to a point,
 - (b) N 01° 30' 46" W, 135.99 feet to a point,

- (2) N 88° 29' 14" E, through Balfour Drive and along the south line of a portion of said Balfour Drive to be abandoned, 50.00 feet to a point and
- (3) S 01° 30' 46" E, continuing along Balfour Drive, 85.99 feet distant, passing through a point marking the northwest corner of O.K. Terrace, and continuing along the same course and the westerly terminus of said O.K. Terrace, 50.00 feet distant farther, comprising a total distance of 135.99 feet to the point and place of beginning,

comprising an area of 6,799 Sq. Ft. according to a survey prepared by MRB Group, D.P.C. entitled "ROW Abandonment & Renaming Plan" dated February 7, 2023, revised May 31, 2023, Project No. 4041.23001, Sheet 1 of 4, G-1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2023-365
(Int. No. 412)

Authorizing the sale of an abandoned portion of Balfour Drive

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

Section 1. The Council hereby approves the negotiated sale to OBI, LLC of the following vacant parcel of land for \$10,000:

Address	SBL #	Sq.Ft.
Abandoned Balfour Drive right-of-way	TBD	17,731

The above-referenced parcel consists of a portion of the Balfour Drive right-of-way authorized to be abandoned in a concurrent ordinance and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe, State of New York, being more particularly bounded and described as follows:

BEGINNING at a point in the north street line of Balfour Drive (50 foot Right of Way) being distant 339.97 feet westerly along the north street line of Balfour Drive from its intersection with the west street line of Hollenbeck Street (49.5 foot ROW), thence:

- (1) S 01° 43' 31" E through Balfour Drive, 50.00 feet to a point in the south street line of Balfour Drive, thence:
- (2) The following courses and distances along the street line of Balfour Drive:
 - (a) S 88° 16' 29" W, 174.77 feet to a point and,
 - (b) S 01° 30' 46" E, 130.05 feet to a point, thence:
- (3) S 88° 29' 14" W through Balfour Drive, 50.00 feet to a point in the west street line of Balfour Drive, thence
- (4) The following courses and distances along the street line of Balfour Drive;
 - (a) N 01° 30' 46" W, 179.86 feet to a point; and
 - (b) N 88° 16' 29" E, 224.58 feet to the point and place of beginning,

comprising an area of 17,731 Sq. Ft. according to a survey prepared by MRB Group, D.P.C. entitled "ROW Abandonment Plan" dated February 2, 2023, Project No. 4041.23001 Sheet 1 of 4, G-1.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-366

Re: Pueblo Nuevo Group Street Rehabilitation Project (Sullivan Street/O'Brien Street/Hoeltzer Street/Kappel Place)

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 Pueblo Nuevo Group Street Rehabilitation Project. This legislation will authorize acquisition, by donation or negotiation, two de minimis portions of parcels as follows:

Reputed Owner	Address	Area in FEE Square Feet +/-	Appraised Value
Pueblo Nuevo II Housing Development Fund Corp	21 Hoeltzer Street	25	\$100
Pueblo Nuevo II Housing Development Fund Corp	51 Hoeltzer Street	25	\$100

The acquisitions are required for the installation, operation, and future maintenance and repair of two water hydrants on Hoeltzer Street. Due to right of way constraints, the hydrants are required to be relocated on what is currently private property. The value of the property acquisitions was established by an independent appraisal performed by Brucker, Tillett, Rossi, Cahill & Associates in October 2023. The total acquisition cost, including closing costs, will not exceed \$3,000 and will be funded from 2020-21 Water Cash Capital.

The project will include, but is not limited, to pavement reconstruction, pavement milling and resurfacing, new curb, sidewalks, curb ramps, new driveway aprons, signage, hydrant relocations, catch basins, and adjustment and/or repair of manholes and water valve castings. These improvements will enhance the surface drainage and riding quality of the roadway, improve accessibility, and expand the useful life of the pavement structure.

Construction is anticipated to begin in spring 2024 with substantial completion anticipated in fall 2024.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-217

Ordinance No. 2023-366
(Int. No. 413)

Authorizing the acquisition by negotiation of permanent easements over 21 and 51 Hoeltzer Street for water hydrants

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

Section 1. The Council hereby approves the acquisition by negotiation of *de minimis* permanent easements for the installation, operation, maintenance and repair of a water hydrant on a portion of each of the following parcels to be conveyed by donation or in exchange for the City's payment of the appraised value:

Address	Owner	SBL #	Portion Area	Value
21 Hoeltzer St	Pueblo Nuevo II Housing Development Fund Corp	106.39-2-10.001	± 25 sq. ft	\$ 100
51 Hoeltzer St	Pueblo Nuevo II Housing Development Fund Corp	106.39-2-23.003	± 25 sq. ft	\$ 100

The easements shall be comprised of:

Part of 21 Hoeltzer Street

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Lot 6 of the J.M. Hoelzer Subdivision, as filed in the Monroe County Clerk's Office in Liber 116 of Deeds, Page 497 and being more particularly bounded and described as follows: Commencing at a point on the southerly ROW line of Hoeltzer Street (32' ROW) at the northeast corner of said Lot 6, said corner being the Point of Commencement; thence

- A) Westerly, along said ROW line of Hoeltzer Street, a distance of 32.0 feet to the Point or Place of Beginning; thence
 - 1) Southerly, at right angles to said ROW, a distance of 5.0 feet to a point; thence
 - 2) Westerly, parallel with said ROW line, a distance of 5.0 feet to a point; thence
 - 3) Northerly, parallel with said Course 1, a distance of 5.0 feet to the said southerly ROW line of Hoeltzer Street; thence
 - 4) Easterly, along said ROW line, a distance of 5.0 feet to the Point or Place of Beginning.

Intending to describe a parcel of land containing 25.0 square feet, all as shown on a map entitled, "Permanent Easement For Installation and Maintenance of Fire Hydrant", dated September 14, 2023, prepared by John D Metzger, L.S., City Surveyor.

Being part of the same premises conveyed to Pueblo Nuevo II Housing Development Fund Corp. by a deed dated April 23, 2021, filed in Liber 12490 of Deeds, Page 527.

Part of 51 Hoeltzer Street

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Lot 10 of the F.C. Lauer Subdivision, as filed in the Monroe County Clerk's Office in Liber 3 of Maps, Page 95 and being more particularly bounded and described as follows: Beginning at a point on the southerly ROW line of Hoeltzer Street (32' ROW) at the northwest corner of lands conveyed to Pueblo Nuevo II Housing Development Fund Corp. by a deed filed in Liber 12490 of Deeds, Page 527, said corner being the Point or Place of Beginning; thence

- 1) Easterly, along said ROW line, a distance of 5.0 feet to a point; thence
- 2) Southerly, at right angles to said ROW, a distance of 5.0 feet to a point; thence
- 3) Westerly, parallel with said ROW, a distance of 5.13 feet to the west line of said lands of Pueblo Nuevo II Housing; thence
- 4) Northerly, along said west line of Pueblo Nuevo II Housing, a distance of 5.0 feet to the said southerly ROW line of Hoeltzer Street, being the Point or Place of Beginning.

Intending to describe a parcel of land containing 25.0 square feet, all as shown on a map entitled, "Permanent Easement For Installation and Maintenance of Fire Hydrant", dated September 14, 2023, prepared by John D Metzger, L.S., City Surveyor.

Being part of the same premises conveyed to Pueblo Nuevo II Housing Development Fund Corp. by a deed dated April 23, 2021, filed in Liber 12490 of Deeds, Page 527.

Section 2. The acquisition shall obligate the City to pay an amount not to exceed \$3,000, consisting of the appraised permanent easement value of \$200 plus recording fees and any other incidental costs. Said amount, or so much thereof as may be necessary, shall be funded by the 2020-21 Cash Capital.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-367

Re: 2024 Preventive Maintenance Project - State Street (Inner Loop to Lyell Avenue), Exchange Boulevard (Ford Street to Basin Street), Ford Street (South Plymouth Avenue to Ford Street Bridge)

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 2024 Preventive Maintenance Project. This legislation will:

1. Authorize an amendatory professional services agreement with C&S Engineers, Inc. (Aileen Maquire Meyer, President, 100 South Clinton Avenue, Suite 2700, Rochester, New York) to provide additional engineering design and construction administration services for the project. The original agreement for \$559,900 was authorized in Ordinance No. 2022-209. This amendment will increase the compensation by \$100,000 to a maximum total of \$659,900. The cost of the amendatory agreement will be funded with \$15,000 of 2020-21, \$20,000 of 2021-22 and \$65,000 of 2022-23 Cash Capital.
2. Authorize changes in pavement width on Exchange Boulevard and State Street as follows:

Exchange Boulevard

- A. A reconfiguration of the north leg of the intersection of Exchange Boulevard and Ford Street as depicted in the attached diagram.

- B. A decrease in pavement width of 7 feet, from 55 feet to 48 feet, beginning approximately 68 feet south of the Corn Hill Landing Plaza driveway located at 300 Exchange Boulevard, and continuing approximately 68 feet northward.
- C. A decrease in pavement width of 7 feet, from 55 feet to 48 feet, beginning approximately 78 feet south of South Fitzhugh Street and continuing approximately 158 feet northward.
- D. A decrease in pavement width of 7 feet, from 55 feet to 48 feet, beginning approximately 76 feet south of the Public Safety Building north side driveway located at 185 Exchange Boulevard, and continuing approximately 76 feet northward.

State Street

- A. A decrease in pavement width of 6 feet, from 72 feet to 66 feet, beginning at Commercial Street and continuing approximately 35 feet northward.
- B. A decrease in pavement width of 6 feet, from 72 feet to 66 feet, beginning approximately 58 feet south of Morrie Silver Way and continuing approximately 214 feet northward.
- C. A decrease in pavement width of 4 feet, from 72 feet to 68 feet, beginning approximately 340 feet south of Brown Street and continuing approximately 104 feet northward.
- D. A decrease in pavement width of 6 feet, from 72 feet to 66 feet, beginning approximately 50 feet south of Jay Street and continuing approximately 184 feet northward.
- E. A decrease in pavement width of 6 feet, from 72 feet to 66 feet, beginning approximately 49 feet south of Smith Street and continuing northward to Smith Street.

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

The amendatory agreement will provide additional design services related to additional alternative analysis, additional traffic analysis, additional parking analysis, traffic signal design, and other additions to the scope of work.

The project includes, but is not limited to, milling and resurfacing of the pavement, spot curb and hazardous sidewalk replacements, installation or upgrade of sidewalk curb ramps, adjustment and repair of manholes, receiving basins, and water valve castings, replacement of traffic pavement markings and the addition of bicycle facilities. These improvements will enhance the surface drainage and riding quality of the roadway, improve accessibility for all users and expand the useful life of the pavement structure.

Public meetings were held on August 3, 2023 and October 25, 2023. A copy of the meeting minutes are attached. The pavement width changes were endorsed by the Traffic Control Board at the November 1, 2023 meeting.

Construction is anticipated to begin in spring 2024 with substantial completion anticipated in fall 2024.

A public hearing on the pavement width changes is required.

Respectfully submitted,
 Malik D. Evans
 Mayor

Authorizing an amendatory agreement and the alteration of pavement widths for the 2024 Preventive Maintenance Project

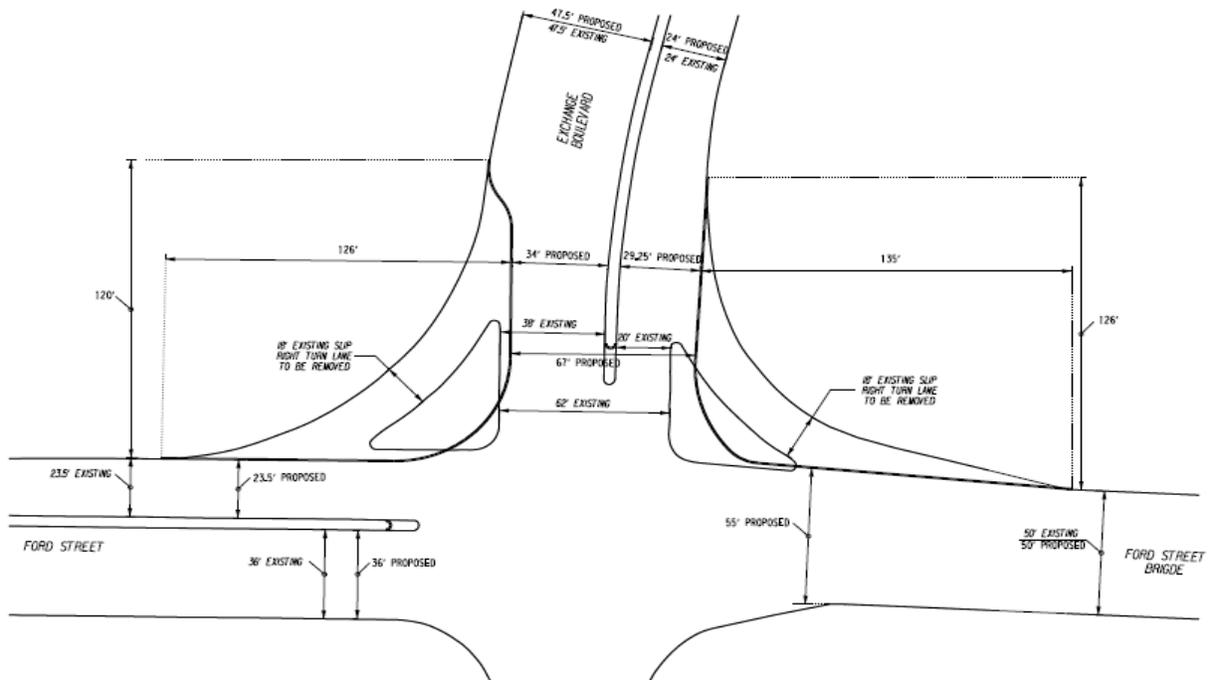
BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with C & S Engineers, Inc. to provide additional engineering design and construction administration services for the 2024 Preventive Maintenance project for State Street (Inner Loop to Lyell Avenue), Exchange Boulevard (Ford Street to Basin Street), Ford Street (South Plymouth Avenue to Ford Street Bridge) (Project). The amendatory agreement shall amend the existing agreement authorized in Ordinance No. 2022-209 to increase the maximum compensation by \$100,000 to a new total of \$659,900. The amendatory compensation shall be funded in the amounts of \$15,000 from 2020-21 Cash Capital, \$20,000 from 2021-22 Cash Capital and \$65,000 from 2022-23 Cash Capital.

Section 2. The Council hereby approves the following pavement width changes to be implemented as part of the Project:

A. Exchange Boulevard:

1. A reconfiguration of the north leg of the intersection of Exchange Boulevard and Ford Street as depicted in the following diagram:



2. A decrease in pavement width of 7 feet, from 55 feet to 48 feet, beginning approximately 68 feet south of the Corn Hill Landing Plaza driveway located at 300 Exchange Boulevard, and continuing approximately 68 feet northward.
3. A decrease in pavement width of 7 feet, from 55 feet to 48 feet, beginning approximately 78 feet south of South Fitzhugh Street and continuing approximately 158 feet northward.
4. A decrease in pavement width of 7 feet, from 55 feet to 48 feet, beginning approximately 76 feet south of the Public Safety Building north side driveway located at 185 Exchange Boulevard, and continuing approximately 76 feet northward.

B. On State Street:

1. A decrease in pavement width of 6 feet, from 72 feet to 66 feet, beginning at Commercial Street and continuing approximately 35 feet northward.
2. A decrease in pavement width of 6 feet, from 72 feet to 66 feet, beginning approximately 58 feet south of Morrie Silver Way and continuing approximately 214 feet northward.
3. A decrease in pavement width of 4 feet, from 72 feet to 68 feet, beginning approximately 340 feet south of Brown Street and continuing approximately 104 feet northward.
4. A decrease in pavement width of 6 feet, from 72 feet to 66 feet, beginning approximately 50 feet south of Jay Street and continuing approximately 184 feet northward.
5. A decrease in pavement width of 6 feet, from 72 feet to 66 feet, beginning approximately 49 feet south of Smith Street and continuing northward to Smith Street.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-368

Re: Inter Municipal Agreement – Rochester Housing Authority – Vehicle Fueling and Maintenance Services

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester Housing Authority (RHA) located at 675 West Main St. Rochester, NY, 14611 for vehicle fueling

and maintenance services.

The City has provided routine vehicle fueling, maintenance and repair services to the RHA since 2007. The current agreement was authorized in March 2018 by Ordinance No. 2018-73 and will expire in January 2024.

RHA's present fleet size is approximately 58. The City will charge a markup of \$0.18 per gallon over cost to cover administrative expenses associated with tracking the fuel sales. This markup may be adjusted annually based on operational and/or administrative expense increases.

In fiscal year 2023, the City received revenue of \$40,197.99 for fuel and \$42,703.83 for maintenance as a result of the agreement. The City estimates future annual revenues of \$35,000 for fuel and \$45,000 for maintenance.

The term of the agreement shall be for three (3) years with the option to renew for up to two (2) additional one-year terms.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-368
(Int. No. 415)

Authorizing an intermunicipal agreement with the Rochester Housing Authority

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 Housing Authority for the City to provide services related to vehicle fueling and maintenance.

Section 2. The term of the agreement shall be for three years, with the option to extend up to two additional one-year terms.

Section 3. The City shall charge a markup of \$0.18 per gallon for operational and administrative expenses. The parties shall be entitled to adjust the markup on an annual basis as they shall see fit to account for changes in the City's operational or administrative expenses.

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson
December 19, 2023

To the Council:

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

- Int. No. 416 Authorizing the sale of real estate
- Int. No. 418 Amending Ordinance No. 2017-91 relating to the Center City Commercial and Mixed Use Initiative project at 143-153 St Paul St.
- Int. No. 419 Appropriating funds and amending the 2023-24 Budget for an Affordable Housing Rehabilitation Program

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

- Int. No. 437 Authorizing a long-term lease of a portion of 835-855 West Main Street to ESL Federal Credit Union

Respectfully submitted,
 Michael A. Patterson
 LaShay D. Harris
 Kimberly Smith (*absent*)
 Mary Lupien
 Miguel A. Meléndez, Jr.

NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
 Ladies and Gentlemen:

Ordinance No. 2023-369
 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 a two-family structure and eight vacant lots being sold to the adjoining owners. City records have been checked to ensure that the purchasers (except those buying unbuildable vacant lots) do not own other properties with code violations or delinquent taxes, and have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

The first property, listed on the attached spreadsheet under the heading, I. Negotiated Sale – Improved Property, is 61 Lime Street, which will be sold to the Rochester Land Bank Corporation (Paul Scuderi, Executive Director). The Land Bank intends to rehabilitate the property for use as affordable housing.

The second property, listed on the attached spreadsheet under the heading, II. Negotiated Sale – Vacant Land, is 13 La Force Street, which will be sold to Alberto Colon and Bethzaida Rodriguez, 22 LaForce Street, Rochester, New York. The purchaser will combine the lot with its primary parcel to provide additional green space.

The remaining seven properties are listed on the attached spreadsheet under the heading, III. Negotiated Sale - Unbuildable Vacant Land.

- The east half of the parcel at 44 Bismark Terrace will be sold to Pedro DeLeon, 48 Bismark

Terrace, Rochester, New York;

- the west half of the parcel at 44 Bismark Terrace will be sold to Andrew Nunez, 40 Bismark Terrace, Rochester, New York;
- 72 Lorenzo Street will be sold to Wilson Soto, 64 Michigan Street, Rochester, New York;
- the east half of 66 Sullivan Street will be sold to Richard Hendricks, 696 Wilder Road, Rochester, New York;
- the west half of 66 Sullivan Street will be sold to Nikita Paul and Anisha Paul, 888 Chili Avenue, Rochester, New York;
- the north half of 5 Utica Place will be sold to Grey Street Enterprises LLC (Lucas Hartman, Member), 85 West Brook Road, Pittsford, New York; and
- the south half of 5 Utica Place will be sold ALM Lighthouse LLC (Donna Antario, Member), 71 Probst Road, Pittsford, New York.

The remaining 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 \$2,442.

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- 219

Ordinance No. 2023-369
(Int. No. 416)

Authorizing the sale of real estate

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

Section 1. The Council hereby authorizes the negotiated sale of the following property to the Rochester Land Bank Corporation:

Address	SBL#	Lot Size	Use	Price
61 Lime St	105.74-3-57	33.5 x 71.5	2 Family	\$ 22,000

Section 2. The Council hereby approves the negotiated sale of the following parcel of vacant land:

Address	SBL#	Lot Size	Sq.Ft.	Price	Purchaser
13 La Force St	106.30-2-25.001	54 x 96.17	5,184	\$450	Alberto Colon & Bethzaida Rodriguez

Section 3. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land to the owner of an adjoining parcel for \$1 each:

Address	SBL#	Lot Size	Sq.Ft.	Purchaser
44 Bismark Ter East half	Portion of 091.79-1-33	18 x 62.5	1,125	Pedro DeLeon
44 Bismark Ter West half	Portion of 091.79-1-33	18 x 62.5	1,125	Andres Nunez
72 Lorenzo St	105.81-1-59	31 x 127	3,937	Wilson Soto
66 Sullivan St East half	Portion of 106.31-4-36	18 x 62.5	1,125	Richard Hendricks
66 Sullivan St West half	Portion of 106.31-4-36	18 x 62.5	1,125	Nikita Paul and Anisha Paul
5 Utica Pl North half	Portion of 135.28-2-26	16.5 x 99	1,634	Grey Street Enterprises LLC
5 Utica Pl South half	Portion of 135.28-2-26	16.5 x 99	1,633	ALM Lighthouse LLC

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

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-370
Re: Amending Ordinance No. 2017-91 – Restore NY Initiative Round 4

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending Ordinance No. 2017-91 to update the authorization for an agreement related to 143-153 St. Paul Street (the “Property”), as included in Round 4 of the Empire State Development Corporation (ESDC) Restore NY Communities Initiative award. The amendment will authorize an agreement with REO Holdings Carthage LLC (REO Holdings; Principal: Antonio Cilino, 1942 East Main Street, Rochester, NY) and replace Hive Andrews 2 LLC as the responsible entity to complete the rehabilitation project.

City Council approved Ordinance No. 2017-91 on April 25, 2017 appropriating \$2,000,000 in grant funds from ESDC through Round 4 of its Restore NY Communities Initiative for three projects, including authorization of an agreement with Hive Andrews 2 LLC to establish \$475,000 as maximum compensation for the adaptive reuse of the Property.

In March 2022, Property ownership transferred to REO Holdings. As ESDC allocated \$475,000 in Restore NY grant funds to the Property, the grant fund approval will remain with the Property as long as the completed rehabilitation is consistent with the original plans. REO Holdings plans to create 40 residential units and 5,334 square feet of first floor commercial space at an estimated development cost of \$11,003,700. Eight of the residential units will be affordable to households earning up to 60% of Area Median Income.

Respectfully submitted,
 Malik D. Evans
 Mayor

Ordinance No. 2023-370
 (Int. No. 418)

Amending Ordinance No. 2017-91 relating to the Center City Commercial and Mixed Use Initiative project at 143-153 St Paul St.

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

Section 1. Section 2 of Ordinance No. 2017-91, Appropriating grant funds and authorizing agreements for the Center City Commercial and Mixed Use Initiative, as funded by the Empire State Development Corporation through Round 4 of its Restore NY Communities Initiative, is hereby amended to read as follows:

Section 2. The Mayor is hereby authorized to enter into agreements with the following developers, or an entity to be formed by the developer, for projects to be included in the Center City Commercial and Mixed Use Initiatives. The agreements shall obligate the City to pay an aggregate amount not to exceed \$2,000,000 with the maximum amount for each agreement as set forth below to be funded from the appropriation in Section 1 herein. Each agreement shall be for a term of five years.

Developer	Project/Address	Amount
Center City Place LLC and REO Holding LLC	Center City Place 131-135 and 143-163 State Street	\$950,000
Sobrino Property Group, LLC	Mi Casa is Su Casa 113 State Street	575,000
Hive Andrews 2 LLC <u>REO Holdings Carthage LLC</u>	Hive @155 Phase II <u>142-153-143-153 St Paul St.</u>	475,000
	Total	\$2,000,000

Section 2. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-371
Re: Budget Amendment & Appropriation – Affordable Housing Rehabilitation Program

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending the 2023-24 Budget of the Department of Neighborhood and Business Development by appropriating \$420,000 of Fund Balance committed by City Council in Resolution No. 2023-18 for the purpose of affordable housing rehabilitation. The funds will be used for the rehabilitation of existing houses acquired by the City of Rochester or the Rochester Land Bank Corporation, through the City's Tax Foreclosure Auction. It is anticipated that the funds will allow for the rehabilitation of up to three houses that will subsequently be sold for affordable home ownership to income eligible households.

This program is consistent with the City's goal to increase the availability of affordable home ownership opportunities. The additional funding will allow the City to invest in the rehabilitation of vacant houses that might otherwise become rental housing units.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-371
(Int. No. 419)

Appropriating funds and amending the 2023-24 Budget for an Affordable Housing Rehabilitation Program

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

Section 1. The sum of \$420,000 allocated for the Police Accountability Board in the 2022-23 Budget of the City Council & Clerk is hereby appropriated to fund an Affordable Housing Rehabilitation Program in furtherance of the budgetary commitment to affordable housing projects set forth in Resolution No. 2023-18.

Section 2. 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 Department of Neighborhood and Business Development by \$420,000 from the funds appropriated in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-372
Re: Lease Agreement – Bulls Head Plaza – ESL Federal Credit Union

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation approving a ground lease agreement between the City of Rochester and ESL Federal Credit Union (ESL), 225 Chestnut St, Rochester, NY, for the use of approximately 0.83 acres of land at 835-855 West Main Street for use as a new branch bank. The term of the new lease will be for 20 years with three, five-year renewal options. The agreement will commence on the first day of the calendar month following the full execution of the land lease.

The annual lease amount is \$55,000 during the initial year of the term, and each additional year the cost per square foot will increase by the lesser of the CPI-U (Consumer Price Index-Urban) adjustment or a fixed 2% annual escalator. The rental rate was determined by an independent appraisal prepared by Midland Appraisal as of September 2023.

The City will provide the unimproved land for the development and ESL will be responsible for all development, construction and professional costs. Additionally, once the improvements have been constructed, ESL will assume all maintenance, security and holding costs for the duration of the term. Following the expiration of the term (35 years) all improvements become the property of the City of Rochester.

There were historically a number of branch locations offering retail banking services in Southwest Rochester, including at Bull's Head Plaza. At this time, there are no retail banking options for residents of the Southwest. The new ESL branch will be a full-service banking location featuring drive-through teller and ATM lanes. The new location is projected to create eight new full-time positions. Site design for the bank branch is underway and will include parking within the leased area.

A public hearing is required.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-372
(Int. No. 437)

Authorizing a long-term lease of a portion of 835-855 West Main Street to ESL Federal Credit Union

WHEREAS, the City of Rochester has received a proposal from ESL Federal Credit Union (ESL) to lease from the City an approximately 0.83 acre vacant portion of 835-855 West Main Street (Lease Parcel), for a term of twenty years with the option to extend for up to three additional periods of five years each, in order to construct and operate a new ESL retail banking branch building with accessory drive-through lanes, automated teller machine, and parking facilities (ESL Branch);

WHEREAS, the Lease Parcel is located within the Bull's Head Urban Renewal Area (BH UR Area) and is subject to an urban renewal plan (BH UR Plan) adopted in Ordinance No. 2018-230;

WHEREAS, the BH UR Plan designates the approximately 4.2 acre Bulls Head Plaza property at 835-855 West Main Street (Plaza Property) as among the prominently located properties deemed to be critical to the successful redevelopment of the entire BH UR Area;

WHEREAS, the retail plaza building on the Plaza Property is scheduled to be demolished due to its blighted condition in accordance with the BH UR Plan, and the Lease Parcel comprises a vacant part of the Plaza's parking lot;

WHEREAS, a retail branch of another bank has vacated the Plaza building without proposing to relocate elsewhere in the BH UR Area;

WHEREAS, ESL is proposing to establish the ESL Branch on the Lease Parcel portion of the Plaza Property to serve as an anchor business and spur to redevelopment of the rest of the Plaza Property and the entire BH UR Area;

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

WHEREAS, founded by George Eastman more than 100 years ago and headquartered in downtown Rochester, ESL is the largest, locally led financial services organization in the Greater Rochester area, owning and operating 24 bank branches throughout Greater Rochester, including two new branches in the City opened up within the past 3 years;

WHEREAS, at present there are no full-service retail bank branches located in the BH UR Area or elsewhere in the City's Southwest quadrant;

WHEREAS, the proposed Lease Parcel for the ESL Branch is located on the northwest corner of the Plaza Property fronting on West Main Street;

WHEREAS, the Lease Parcel is located primarily within a zone designated for "Gateway Corridor" development on the BH UR Plan and a retail bank is consistent with the Plan's prescription for "a mix of commercial retail sales and service as the primary uses" in the Gateway Corridor;

WHEREAS, ESL proposes to pay an annual lease payment of \$55,000 during the initial year of the term, a rate that is based on an independent appraisal prepared by Midland Appraisal as of September 2023, and to increase the payment each additional year thereafter by the lesser of the CPI-U (Consumer Price Index-Urban) adjustment or a fixed 2% annual escalator;

WHEREAS, in return for the City's provision of the unimproved Lease Parcel, ESL proposes to assume responsibility for all development, construction and professional costs as well for all maintenance, security and real property taxes and other holding costs incurred thereafter for the duration of the lease term;

WHEREAS, following the expiration of the term, which will be 35 years if the parties opt for all three optional term extension, all improvements to the Lease Parcel shall become the property of the City of Rochester; and

WHEREAS, in a concurrent resolution, the Rochester Urban Renewal Agency has determined that ESL is a qualified and eligible sponsor to carry on redevelopment of the Bull's Head Urban Renewal Area on the Lease Parcel.

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

Section 1. Based on the independent appraised value of the lease and the anticipated public benefits thereof described in the foregoing recitals, the Council hereby finds and determines that the proposed lease to ESL Federal Credit Union (ESL) of an approximately 0.83 acre portion of 835-855 West Main Street owned by the City of Rochester (the Lease), for a term of twenty years with the option to extend for up to three additional periods of five years each, would be in the public interest;

Section 2. The Council hereby approves and authorizes the Lease to ESL of an approximately 0.83 acre portion of 835-855 West Main Street, as described and depicted in the attached Lease Parcel Description incorporated into this ordinance (the Lease Parcel), for the purpose of establishing and operating a new retail banking branch building with accessory drive-through lanes, automated teller machine, and parking facilities (ESL Branch), subject to the terms and conditions set forth in the foregoing recitals and subject to such additional terms and conditions as the Mayor deems appropriate.

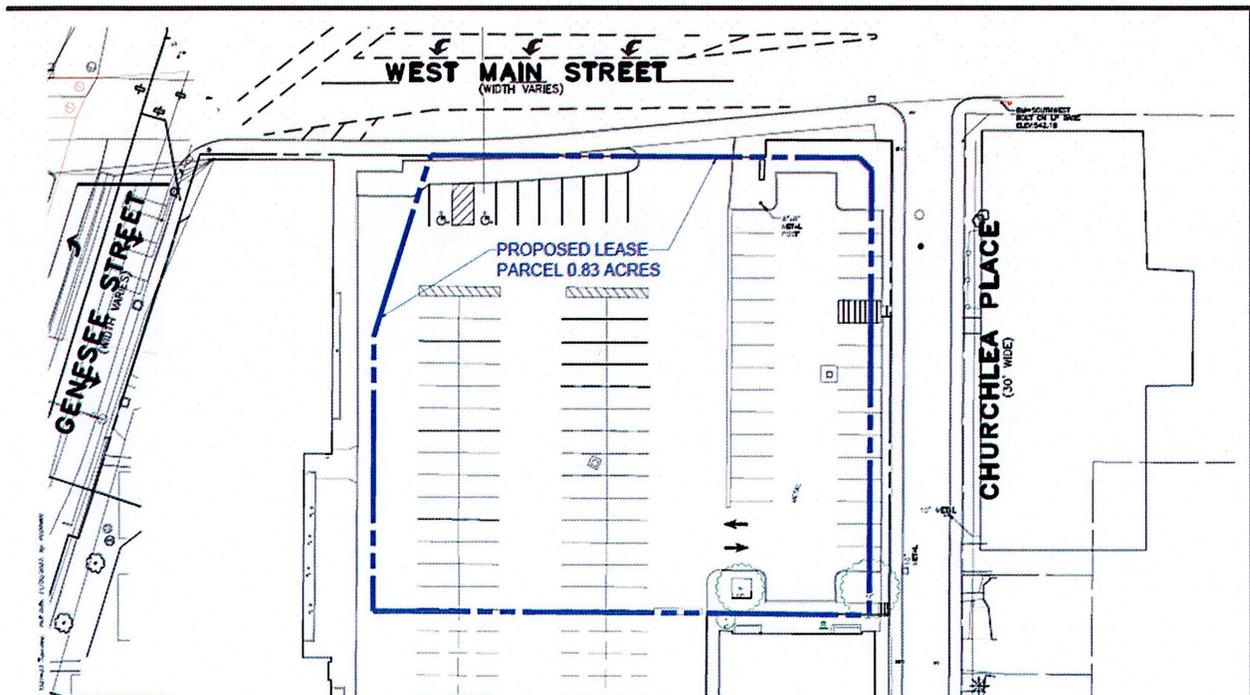
Section 3. The Council hereby determines that ESL is a qualified and eligible sponsor to carry on redevelopment of the Lease Parcel portion of the Bull's Head Urban Renewal Area (BH UR Area) through the Lease authorized herein.

Section 4. The Council hereby further approves the granting and acceptance of any easements for utilities and public access to and within the Lease Parcel, as necessary to effectuate the terms and purposes of the Lease authorized herein.

Section 5. The Mayor is hereby authorized to enter into such agreements and to execute such other instruments as may be necessary to implement the actions authorized herein.

Section 6. This ordinance shall take effect immediately.

Lease Parcel Description



An approximately 0.83 acre portion of 835-855 West Main Street, SBL # 120.50-2-2.002, intending to include the premises within the boundaries illustrated above, which are approximate and which ESL and the City may agree to adjust marginally prior to executing the Lease in order to conform to permitting, access and other requirements.

Passed unanimously.

By Councilmember Harris
December 19, 2023

To the Council:

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

- Int. No. 420 Authorizing a consulting agreement regarding workforce development programming
- Int. No. 421 Authorizing an agreement for the Neighborhood-Based Youth Organizing Project
- Int. No. 422 Appropriating funds and amending the 2023-24 Budget for Social-Emotional Support Programs

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

RECREATION & HUMAN SERVICES COMMITTEE

Received filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-373
Re: Agreement – Center for Governmental Research Inc. Consultant for Workforce Development

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmittal herein for your approval is legislation establishing \$150,000 as maximum annual compensation for an agreement with the Center for Governmental Research Inc. (Erika Rosenberg, President and CEO, 1 S. Washington Street, Suite 400, Rochester, NY) for a gap analysis and recommendations about the City of Rochester’s workforce development programming. The cost of this agreement will be funded from the 2023-24 Budget of the Department of Recreation and Human Services (DRHS) using the ARPA appropriation from Ord No. 2022-355, approved by Council on November 15, 2022. The term of the agreement will not exceed one year.

The Center for Governmental Research, Inc. (CGR) will assist DRHS with the direction of workforce development programming. Initially, CGR will conduct a gap analysis of the current workforce development system within Rochester. Based on that analysis, as well as learning about the City of Rochester's current workforce development programming, CGR will present the City with recommendations regarding the role the City should have in the workforce development space. CGR's work will be focused mostly on DRHS workforce development activities.

CGR was selected through a request for proposals process. The Vendor Selection Form is attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-220

Ordinance No. 2023-373
(Int. No. 420)

Authorizing a consulting agreement regarding workforce 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 a professional services agreement with the Center for Governmental Research Inc. to perform a gap analysis and to provide recommendations regarding the City's workforce development programming. The maximum compensation for the agreement shall be \$150,000, which shall be funded from the 2023-24 Budget of the Department of Recreation and Human Services. The term of the agreement shall not exceed one year.

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. 2023-374
Re: Agreement – The Center for Teen Empowerment, Inc., Neighborhood-Based Youth Organizing Project

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

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation establishing \$50,000 as maximum annual compensation for an agreement with The Center for Teen Empowerment, Inc. (Abrigal Forrester, Chief Executive Officer, Roxbury, MA; Doug Ackley, Director, Rochester, NY) for the Neighborhood based Youth Organizing Project. The term of the agreement will be seven months. The agreement will be funded from the 2023-24 Budget of Undistributed Expenses, with an option to renew for two additional one-year terms contingent upon approval of the future budgets of the City.

The Center for Teen Empowerment will hire twenty youth organizers, ten from the southwest and an additional ten to support the program's growth and expansion to the northeast areas of the city. These programs will implement youth initiatives, including activities and events for youth to improve in the community. The goal of this project is to build strong relationships and ties within the southwest and northeast communities between youth, businesses, existing agencies and neighborhood adults to create positive change.

The project will involve more than 300 youth as participants at events and activities in positive change in the northeast and southwest; connect youth to available resources in their neighborhoods and throughout the city; build relationships among the youth to help prevent and/or resolve street conflicts; build leadership skills; and increase civic engagement.

The most recent agreement for these services was approved by Council in July 2019 via Ordinance No. 2019-242.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-221

Ordinance No. 2023-374
(Int. No. 421)

Authorizing an agreement for the Neighborhood-Based Youth Organizing 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 The Center for Teen Empowerment, Inc. to engage youth organizers to implement a Neighborhood-Based Youth Organizing Project in the southwest and northeast areas of the city (Project). The term of the agreement shall be seven months with the option to extend for up to two additional one-year periods. The maximum compensation for the initial term of the agreement shall be \$50,000, which shall be funded from the 2023-24 Budget of Undistributed Expenses. The maximum compensation for each of the two optional extended one-year terms shall be \$50,000, which shall be funded from subsequent years' Budgets of Undistributed Expenses, contingent upon their approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-375
Re: Appropriation and Budget Amendment – Social-Emotional Support Programs

Council Priority: Creating and sustaining a culture of vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation amending the 2023-24 Budget of the Department of Recreation and Human Services by appropriating \$330,000 of Fund Balance committed by City Council in Resolution No. 2023-18 for the purposes of social and emotional welfare. The funding will be used to provide direct services to the community as well as related professional development and supports for DRHS staff that interact with the public as follows:

1. \$150,000 for on-call homeless community outreach project. Support Counselors will conduct homeless outreach several days per week, 8-10 hours per day under the Crisis Intervention Services Unit. Support counselors will have a specific focus on the homeless community. Homeless community outreach project will increase the work in the community to support street homeless residents. Currently PIC does street outreach one day per week for 8-10 hours per day with the support of RPD. These teams will consist of staff and community partners.
2. \$75,000 for contracted mental health services to be made available at various DRHS public facilities. An on-call therapist will provide assistance at DRHS athletic facilities when dealing with athletes' injuries and trauma; Animal Services staff, volunteers and residents when dealing with pet loss and distress; and the Recreation and Youth Services staff who face difficult situations due to violence and related trauma. The provider will be identified through the Request for Proposal process.
3. \$105,000 for an expert consultant to focus on team building, culture and climate within all DRHS units. This will allow a collaborative experience across DRHS with an emphasis on social-emotional supports for staff. The department recognizes that investing in the development of these staff and the effectiveness of their teams is incredibly important as many times they are called to provide support to residents facing a number of challenging situations. A consultant will be identified through a request for proposals process. The cost will be broken down 2-3 sessions at \$5,000 each for each of the DRHS units.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-375
(Int. No. 422)

Appropriating funds and amending the 2023-24 Budget for Social-Emotional Support Programs

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

Section 1. The sum of \$330,000 allocated for the Police Accountability Board in the 2022-23 Budget of the City Council & Clerk is hereby appropriated to fund Social-Emotional Support Programs, including the provision of on-call community outreach for the homeless, mental health services at Department of Recreation and Human Services (DRHS) facilities, and social-emotional support and training for DRHS staff, all in furtherance of the budgetary commitment to social-emotional support programs set forth in Resolution No. 2023-18.

Section 2. 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 DRHS by \$330,000 from the funds appropriated in Section 1.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

By President Meléndez
December 19, 2023

To the Council:

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

- Int. No. 423 Authorizing intermunicipal agreements and amending the 2023-24 Budget for the 2024 STOP DWI and High Visibility Engagement Campaign programs
- Int. No. 424 Authorizing an intermunicipal agreement with the County of Monroe for a Firearms Instruction Program
- Int. No. 425 Authorizing a grant agreement and amending the 2023-24 Budget for the 2023 State Homeland Security Program

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

Received filed & published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-376
Re: Grant Agreements – Monroe County

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to STOP DWI Program grants from Monroe County. This legislation will:

1. Authorize an agreement with Monroe County for the receipt and use of the 2024 STOP DWI Program grant in the amount of \$42,800 for the term of January 1, 2024 through December 31, 2024;

2. Authorize an agreement with Monroe County for the receipt and use of the 2024 High Visibility Engagement Campaign grant in the amount of \$12,000 for the term of October 1, 2023 through September 30, 2024;
3. Amend the 2023-24 Budget of the Police Department by \$5,600 for the 2024 High Visibility Engagement Campaign grant to reflect a portion of these funds;

The 2024 STOP DWI Program grant will be used for enhanced detection and enforcement of driving while intoxicated and related offenses for the 2024 calendar year. Funding will be used for overtime details and associated fringe costs, training, breathalyzer calibration, and underage alcohol enforcement. No matching funds are required. The City has received this grant for more than ten years.

The 2024 High Visibility Engagement Campaign grant will be used to pay overtime for police officers and, as necessary, for police experts to detect drug abuse in drivers during the following periods:

Festive Season	12/13/23 – 01/01/24	100 Deadliest Days	
Super Bowl	02/19/24 – 02/11/24	of Summer	06/06/24 – 08/11/24
St Patrick's Day	03/15/24 – 03/17/24	July 4th	07/03/24 – 07/07/24
Memorial Day	05/24/24 – 05/27/24	End of Summer	08/14/24 – 09/02/24

The High Visibility Engagement Campaign grant does not allow fringe expenses, estimated at \$4,300. No matching funds are required. The City has received this grant for more than ten years.

Respectfully submitted,
 Malik D. Evans
 Mayor

Ordinance No. 2023-376
 (Int. No. 423)

Authorizing intermunicipal agreements and amending the 2023-24 Budget for the 2024 STOP DWI and High Visibility Engagement Campaign programs

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe for the City's receipt and use of \$42,800 in funding for the 2024 STOP DWI program. The term of the agreement shall be one year.

Section 2. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe for the City's receipt and use of \$12,000 in funding for the 2024 High Visibility Engagement Campaign. The term of the agreement shall be one year.

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

Section 4. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Police Department by \$5,600 appropriated from the 2024 High Visibility Engagement Campaign program funds authorized in Section 2 herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-377
Re: Inter-Municipal Agreement - Monroe County, Firearms Instruction

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing the continuation of the inter-municipal agreement with Monroe County for the receipt and use of funding for the Firearms Instruction Program in the amount of \$55,675 annually. The term of the agreement is January 1, 2024 through December 31, 2024, with the option to renew for up to two additional one-year periods.

The County provides reimbursement for a portion of the salary and benefits of Rochester Police Department firearms instructors to train officers in Monroe County police agencies. No budget amendment is needed as the positions and the associated funding were anticipated and included in the 2023-24 Budget of the Police Department, and will be included in future Budgets of the Police Department, contingent upon approval.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-222

Ordinance No. 2023-377
(Int. No. 424)

Authorizing an intermunicipal agreement with the County of Monroe for a Firearms Instruction 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 County of Monroe for the City to provide firearms instruction to County police agencies through the Firearms Instruction Program (Program). The compensation for the Program shall be \$55,675 per year. The term of the agreement shall be January 1, 2024 through December 31, 2024, with the option to extend for up to two additional one-year periods.

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. 2023-378
Re: Grant Agreement – 2023 State Homeland Security Program (SHSP)

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 (NYSDHSES) for the receipt and use of \$201,977 from the 2023 State Homeland Security Program (SHSP) grant and amending the 2023-24 Budgets of the Fire Department by \$61,700 and Undistributed Expenses by \$20,400 for related personnel expenses. The remaining non-personnel expenses (\$120,000) will be funded directly from a Special Revenue Fund specific to this grant. Since this is a multi-year grant, any remaining personnel expenses will be appropriated in the 2024-25 Budget of the Fire Department, contingent upon its approval.

This grant was initially received by the Rochester Fire Department in 2010. It is provided to support building, sustainment and delivery of core capabilities for achieving preparedness and resilience in the event of terrorist attacks, severe weather and other significant events in the Rochester/Monroe County region. Grantees are required to build capabilities that relate to the prevention of, protection from, or response to significant events. The term of the agreement is September 1, 2023 through August 31, 2026, and no matching funds are required.

The 2023 allocation will be used for equipment, such as: Rescue Task Force personal protective equipment and training props, Structural Collapse response and training equipment, Hazmat Team mobile radios and Community Emergency Response Training (CERT) supplies (\$120,000). Funding will also support overtime back-fill for structural collapse, rescue task force sustainment training and Community Emergency Response Training (CERT) training classes (\$61,700) and fringe benefits for all personnel expenses included in the funding allocation (\$20,400).

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance. No. 2023-378
(Int. No. 425)

Authorizing a grant agreement and amending the 2023-24 Budget for the 2023 State Homeland Security Program

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Homeland Security and Emergency Services for the receipt and use of grant funds from the 2023 State Homeland Security Program (Program) in the amount of \$201,977. The term of the agreement shall be 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. 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 Fire Department by \$61,700 and to Undistributed Expenses by \$20,400, which amounts are hereby appropriated from the Program grant authorized herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.
By Councilmember Gruber

December 19, 2023

To the Council:

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

- Int. No. 426 Authorizing an agreement for the ROC the Eclipse Festival
- Int. No. 427 Authorizing administrative tax cancellations and refunds of \$1,000 or less for 2024
- Int. No. 428 Authorizing an amendatory agreement for the operation of the South Avenue Garage
- Int. No. 429 Authorizing an agreement and amending the 2023-24 Budget for the Living Cities grant funded Homeownership Program
- Int. No. 430 Authorizing an agreement for the Living Cities grant funded Business Starts & Growths Entrepreneur Training Program
- Int. No. 431 Authorizing agreements and amending the 2023-24 Budget relating to the development of an Arts and Culture Plan
- Int. No. 432 Authorizing a professional services agreement for Mental Health First Aid Training
- Int. No. 433 Authorizing an agreement for State lobbying services
- Int. No. 434 Authorizing an amendatory agreement for a Drug and Alcohol Testing Program
- Int. No. 435 Authorizing an amendatory agreement for the Employee Assistance Program
- Int. No. 436 Resolution establishing the maximum number of Commissioners of Deeds
- Int. No. 438 Approving an appointment to the Rochester Environmental Commission
- Int. No. 439 Resolution approving appointment and reappointment to the Rochester Public Library Board of Trustees

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

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-379
Re: Agreement – Rochester Museum & Science Center– Roc the Eclipse Festival

Council Priority: Creating and Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$25,000 as maximum compensation for an agreement with the Rochester Museum & Science Center (“RMSC”), 657 East Avenue. The cost of the agreement will be funded from the 2023-24 Budget of Communications. The term of the agreement will be one year.

On April 8, 2024, Rochester will be in the “path of totality” of the solar eclipse. The last time Rochester experienced a total solar eclipse was in 1925. Following the 2024 eclipse, Rochester will not experience another total solar eclipse until 2144. Regional leaders predict that 300,000-500,000 people will head to Rochester to view the eclipse. Visit Rochester predicts that essentially every hotel room and rental in the region will be booked that weekend.

ROC the Eclipse is a three-day festival that will be held on the RMSC campus that leads into and celebrates the April 8th, 2024 Total Solar Eclipse. The festival will cover the entire RMSC campus with space related hands-on activities, telescopes for solar viewing, expert speakers, music, food, eclipse-themed planetarium shows, community groups, and more. Speakers will present the eclipse from a wide range of perspectives including science, history, art, and culture. On Monday April 8th, staff will direct everyone outside at 2:50 PM as the region is plunged into totality for 3 minutes and 38 seconds starting at 3:20 PM. While there will be regular admission fees to the museum, speakers in the Eisenhart Auditorium and the outdoor components will be free and open to the public.

As part of the sponsorship, RMSC will provide each R-Center with a telescope to enhance the eclipse programming they will be providing for children due to school closures that day, as well as 15,000 eclipse glasses for the City to distribute to residents at R-Centers and other public buildings.

The City enhances its cash sponsorship for all events with in-kind equipment rental from the Department of Environmental Services.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-223

Ordinance No. 2023-379
(Int. No. 426)

Authorizing an agreement for the ROC the Eclipse 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 the Rochester Museum & Science Center to sponsor the ROC the Eclipse Festival, a three-day series of celebratory and educational events and programs associated with the rare total solar eclipse that will envelop the city on April 8, 2024. The maximum compensation for the agreement shall be \$25,000 which shall be

funded from the 2023-24 Budget of the Bureau of Communications. The term of the agreement shall be one year.

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. 2023-380

Re: Authorization – 2024 Administrative Tax Cancellations and Refunds

Transmitted herewith for your approval is legislation authorizing the Director of Finance to cancel or refund certain erroneous *ad valorem* taxes, charges and fees up to \$1,000 per account during the 2024 calendar year.

Each year, approximately 62,000 tax bills are issued by the City. In 2022-23, these bills contained a total of \$277,312,937.34 in City and School taxes, charges and fees, and delinquencies. Of that amount, taxes and charges totaling \$2,618,519.68 or 0.94 % of the total billed amount, were subsequently determined to be erroneous and were canceled. These cancellations involved 1,598 accounts or 2.57 % of the total number.

Pursuant to Section 556 of the New York State Real Property Tax Law, the City Council is required to approve all cancellations. Under the provisions of Chapter 383 of the Laws of 1984, however, it may delegate to the Director of Finance the authority to approve such cancellations, under certain conditions. Additionally, under Chapter 515 of the Laws of 1997, the State allows administrative cancellations of up to \$2,500 per account.

Delegation of this authority was initially approved by the Council in March 1987. Annual authorization is required to allow for the delegation to continue. Council's most recent authorization (Ordinance No. 2023-26) allowed the Director of Finance to cancel up to \$1,000 per account during the 2023 calendar year. Council's delegation of this authority reduces the amount of time required to correct a taxpayer's account and, in some instances, to issue a refund.

The following conditions will continue to apply:

1. A report summarizing all cancellations approved by the Director of Finance during any month will be submitted to the Council by the fifteenth day of the subsequent month; and
2. The total cancellations approved by the Director for any fiscal year will not exceed the amount of the tax reserve (provision for uncollected or delinquent amounts) established by the Council for that year.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-380
(Int. No. 427)

Authorizing administrative tax cancellations and refunds of \$1,000 or less for 2024

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

Section 1. Pursuant to NYS Real Property Tax Law §556(8), the Director of Finance is hereby authorized to approve the cancellation of real property taxes and/or charges or fees added to those taxes subject to the following conditions:

- a. The amount to be cancelled for any year for any particular account shall be \$1,000 or less.
- b. A report summarizing all cancellations approved by the Director during any month shall be submitted to the City Council by the 15th day of the subsequent month.
- c. The total amount of cancellations approved by the Director for any fiscal year shall not exceed the amount of the tax reserve (provision for uncollected or delinquent amounts) established by the City Council for that year.

Section 2. This ordinance shall be in effect for calendar year 2024.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-381
Re: Amendatory Agreement – Rochester Convention Center Management Corporation, South Avenue Parking Garage.

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 authorizing an amendatory agreement with the Rochester Convention Center Management Corporation (“RCCMC”) for operation of the South Avenue Parking Garage. The agreement was initially authorized by Ordinance No. 2011-371 and has been extended biannually with the most recent extension authorized in December 2021 by Ordinance No. 2021-387. This legislation will extend the term of the agreement for an additional three years to December 31, 2026.

All terms and conditions authorized in the most recent extension will remain the same, including the distribution of 15% of the gross revenue from the garage to the City and the City payment of utilities with subsequent reimbursement from RCCMC. RCCMC will continue to be responsible for all other expenses related to the operation of the garage including, but not limited to, security, customer service, cleaning, and repairs costing \$5,000 or less. Repairs in excess of \$5,000 must first be approved in writing with City staff.

The South Avenue Garage provides essential parking resources for the Joseph A. Floreano Rochester riverside Convention Center and Hyatt Hotel. The requested agreement extension would continue the established rights and responsibilities of all parties.

The estimated annual revenue, net of utility reimbursement, to the Parking Enterprise Fund from this agreement is \$211,000. Annual utility expenses are approximately \$79,200.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-381
(Int. No. 428)

Authorizing an amendatory agreement for the operation of the South Avenue Garage

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the Rochester Convention Center Management Corporation to extend by three years, to December 31, 2026, the term of the agreement for operation of the South Avenue Garage, as originally authorized by Ordinance No. 2013-219, extended by Ordinance Nos. 2015-222 and 2017-321, extended and modified by Ordinance No. 2019-77, and last extended by Ordinance No. 2021-387.

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. 2023-382
Re: Agreement – The Housing Council at PathStone

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 of Rochester's new Homeownership Program. This legislation will:

1. Establish \$197,000 maximum compensation for an agreement with The Housing Council at PathStone. (Mary Leo, Executive Director, 75 College Avenue, Rochester, NY 14607) to increase access to homeownership for low-income City residents. The agreement will have a term of one year with an option to extend one additional year. This agreement will be funded from the 2023-24 Budget of the Office of the Mayor utilizing a portion of the \$400,000 Homeownership grant from Living Cities, authorized under Ord. 2023-25 and as amended by Ordinance 2023-87.
2. Amend the 2023-24 budget of the Office of the Mayor by \$300,000 to reflect the unspent grant amount from 2022-23.

The Housing Council was chosen through a Request for Proposal process, as described in the attached summary. As part of the two-year Living Cities Grant, the City of Rochester has submitted a work plan detailing opportunities for the City to enhance opportunities for residents of color to achieve

sustainable homeownership and entrepreneurship. The work plan was largely informed by a Needs Assessment conducted for the City of Rochester by the national research institution FSG. This new Homeownership Program will provide community outreach, case management, financial counseling, and HUD Certified Homebuyer Education to approximately 60 City of Rochester residents. Targeted outreach for this initiative will be conducted and will include Head Start families, Section 8 Voucher recipients, and those who have previously applied for City homebuyer programs such as Buy the Block.

A maximum of \$80,000 is available for administration of the program with the remaining \$117,000 allocated for direct cash incentives for program participants. Incentives will be provided to those who reach financial milestones with the assistance of the Rochester Financial Empowerment Center. Families will be educated and encouraged to stack a variety of homebuyer assistance programs.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-224

Ordinance No. 2023-382
(Int. No. 429)

Authorizing an agreement and amending the 2023-24 Budget for the Living Cities grant funded Homeownership Program

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with The Housing Council at PathStone, Inc. (Housing Council) to implement a Homeownership Program for low-income City residents (Program) to include community outreach, case management, financial counseling, homebuyer education and the disbursement of up to \$117,000 in direct cash incentives for Program participants. The agreement shall have a term of one year, with the option to extend the term for up to one additional year. The maximum compensation to be paid to the Housing Council shall be \$80,000. The cash incentives and compensation provided for herein shall be funded up to the maximum amount of \$197,000 from the 2023-24 Budget of the Office of the Mayor.

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

Section 3. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Office of the Mayor by the amount of \$300,000, which amount is hereby appropriated for the Program and other homeownership access initiatives from the Living Cities grant appropriated to the 2022-23 Budget of the Office of the Mayor in Ordinance No. 2023-25 as amended by Ordinance No. 2023-87.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-383
Re: Agreement – Two X Consulting LLC

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 of Rochester's Business Starts & Growths Entrepreneurial Training Program. This legislation will establish \$90,000 maximum compensation for an agreement with Two X Consulting LLC (Christine Hanson, 435 Terrace Avenue, Garden City New York, 11530) to teach entrepreneurs skills to start, grow, and sustain their businesses with an emphasis on individualized coaching. The agreement will have a term of one year with an option to extend one additional year. This agreement will be funded from the 2023-24 Budget of the Office of the Mayor utilizing a portion of the \$150,201 Business Starts & Growths grant from Living Cities, authorized under Ord. 2023-87.

Two X consulting was chosen through a Request for Proposal process, as described in the attached summary. As part of the two-year Living Cities Grant, the City of Rochester has submitted a work plan detailing opportunities for the City to enhance opportunities for residents of color to achieve sustainable homeownership and entrepreneurship. The work plan was largely informed by a Needs Assessment conducted for the City of Rochester by the national research institution FSG. The Business Starts & Growths Entrepreneurial Program will provide education to 50 small businesses and include a \$1,000 incentive for completion of the program. \$40,000 will be provided to Two X Consulting LLC for administration of the program.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-225

Ordinance No. 2023-383
(Int. No. 430)

Authorizing an agreement for the Living Cities grant funded Business Starts & Growths Entrepreneur 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 professional services agreement with Two X Consulting LLC (Consultant) to implement a Business Starts & Growths Entrepreneur Training Program for small businesses (Program), including the payment of up to \$50,000 in direct cash incentives for participants to complete the Program. The agreement shall have a term of one year, with the option to extend the term for up to one additional year. The maximum compensation to be paid to the Consultant shall be \$40,000. The cash incentives and the Consultant compensation provided for herein shall be funded up to the maximum amount of \$90,000 from the Living Cities grant funds authorized for increasing entrepreneurship opportunities in Section 2 of Ordinance No. 2023-87.

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. 2023-384

Re: Accepting Grant for the Development of an Arts and Culture Plan
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 an arts and culture plan for the City and Monroe County. This legislation will:

- 1) Authorize a grant agreement with the Rochester Area Community Foundation (Erin Budd Barry, Vice President of Community Programs, 500 East Ave, Rochester, NY 14607) for receipt and use of a \$20,000 grant for the purpose of community engagement in the development of an arts and culture plan. The agreement will have a term of 18 months.
- 2) Authorize an intermunicipal agreement with Monroe County for receipt and use of \$25,000 for the purpose of developing an arts and culture plan. The agreement will have a term of 18 months.
- 3) Amend the 2023-24 Budget of the Office of the Mayor by \$45,000 for the funding from the Rochester Area Community Foundation and Monroe County as described above.
- 4) Establish \$200,000 as maximum compensation for an agreement with Designing Local Ltd. (Amanda Golden, Co-Founder and Managing Principal, 20 East Broad Street, Suite 1010, Columbus, OH 43215) to collaborate with the City and County on the development of an arts and culture plan. The contract will be funded from the 2023-24 Budget of the Mayor's Office (\$75,000), from the 2021-22 Budget of Cash Capital (\$36,000), and from the 2022-23 Budget of Cash Capital (\$89,000). The term will be one year with the option to renew for up to one additional year upon agreement of the parties.

The City of Rochester and Monroe County Arts and Culture Plan ("the Plan") total project cost will be \$200,000.

In consultation and collaboration with the City and County, the Consultant will create the Plan, which will include an arts and culture inventory, widespread community and stakeholder engagement, a cultural equity policy, a vision and defined goals, and an implementation plan. Additionally, the Plan will include a Public Art Master Plan for the City to guide City investments, policies, and stewardship specifically related to public art. The Consultant will use \$160,025 of the budget for paid staff time on the project. The remaining \$39,975 will be used for engagement strategies, including \$30,000 for paid positions for local artists.

Arts and culture are key components of thriving and vibrant cities. A strong arts and culture sector is an economic development engine, providing economic opportunities for local artists and entrepreneurs, enriching the built environment, and creating gatherings and gathering spaces which further support local businesses and attract investment. Arts and culture also support community health and well-being: artistic expression is therapeutic; arts and culture drive civic engagement and connect diverse residents; and art creates and strengthens community spaces. While Rochester has a robust creative

network, *Rochester 2034* identified the need for an arts and culture plan to serve as a collective vision to strengthen the arts and culture segment of our community. The City of Rochester and Monroe County Arts and Culture Plan will be a user-friendly, graphically rich document that will serve as a guide to arts investment for both public and private stakeholders.

The Public Art Master Plan component of the Plan will result in recommendations for a consistent public art process and a governance structure for that process, including organizational infrastructure within City government. The purpose of the Public Art Master Plan is to enable the City to be a better curator and steward of public art on City-owned property. The Cultural Equity Policy component of the Plan will ensure a continued focus on creating economic opportunities for local artists and small arts organizations, and expanding the experience of public art for all Rochesterians by reaching historically underserved residents.

Designing Local was selected through a Request for Proposal process, which is described in the attached summary. The Scope of Services for the Plan as identified in the Request for Proposals was developed in consultation with the Arts and Creative Community Committee (AC³), a stakeholder group including local artists and arts organizations, and the City Arts Team (CAT), a multidepartment committee of City staff involved in public art and culture investments.

Both the AC³ and CAT, along with the Rochester community, will be heavily involved in the development of the Plan. The City will be managing a Call for Artists in consultation with the Consultant and the County to select artists for paid positions in the project as part of the substantial and critical public engagement process for the project.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-226

Ordinance No. 2023-384
(Int. No. 431)

Authorizing agreements and amending the 2023-24 Budget relating to the development of an Arts and Culture Plan

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Area Community Foundation for the receipt and use of a grant in the amount of \$20,000 to fund the development of an Arts and Culture Plan for the City of Rochester and County of Monroe (Plan). The term of the agreement shall be 18 months.

Section 2. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe for the City's receipt and use of \$25,000 to fund the development of the Plan. The term of the agreement shall be 18 months.

Section 3. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of the Office of the Mayor by \$45,000 appropriated from the grant and funds authorized in Sections 1 and 2 herein.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with Designing Local Ltd to collaborate with the City and County on the development of the Plan. The

maximum compensation for the agreement shall be \$200,000, which shall be funded in the amounts of \$75,000 from the 2023-24 Budget of the Office of the Mayor, \$36,000 from 2021-22 Cash Capital and \$89,000 from 2022-23 Cash Capital. The term of the agreement shall be one year with the option to extend for an additional period of up to one year.

Section 5. The agreements authorized herein shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-385

Re: Agreement – Wellness Associates of Greater Rochester LLC, Mental Health First Aid

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum compensation for an agreement with Wellness Associates of Greater Rochester LLC for adult and adolescent Mental Health First Aid training services.

The cost of this agreement will be funded from the 2023-24 (\$40,000) Budget of the Undistributed Expenses. The term of this agreement will be for one (1) year, with the option of 2 one-year renewals. Subsequent costs will be funded from the annual budgets of the Undistributed Expenses contingent upon approval.

The Mental Health First Aid Training will provide customer facing City of Rochester employees with an understanding of how to assist someone experiencing a mental health or substance use-related crisis. Additionally, employees will be informed of risk factors and warning signs for mental health and addiction concerns, strategies for how to help someone in both crisis and non-crisis situations, and where to turn for help.

Wellness Associates of Greater Rochester was selected through a request for proposal process described in the attached summary.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-227

Ordinance No. 2023-385
(Int. No. 432)

Authorizing a professional services agreement for Mental Health First Aid Training

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 Wellness Associates of Greater Rochester LLC, to provide Mental Health First Aid Training to City employees. The term of the agreement shall be one year with the option to extend the term for up to

two additional one-year periods. The maximum annual compensation shall be \$40,000, which shall be funded from the 2023-24 Budget of Undistributed Expenses for the initial term and future years' Budgets of Undistributed Expenses for any extended term, contingent upon approval.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-386
Re: Agreement – Greenberg Traurig, LLP State Lobbying Services

Transmitted herewith for your approval is legislation establishing \$150,000 as the maximum compensation for an agreement with Greenberg Traurig, LLP (Robert M. Harding, Shareholder) to provide inter-governmental affairs services in connection with the City's interactions with the New York State government (the Services) for the 2024 calendar year with the option to extend the term for up to one additional year. The cost of the agreement will be funded from the 2023-24 Budget of the Office of Mayor.

The scope of the Services will include but not be limited to:

- Providing intergovernmental affairs advice in connection with the New York State Legislature, Executive and regulatory agencies;
- Monitoring of legislation, budget actions, and proposed rules and regulations of interest to the City;
- Attending legislative sessions, hearings and committee meetings as necessary; and
- Assisting the City to develop and communicate to relevant legislators and staff the City's positions on various legislative and budgetary initiatives, as well as arranging meetings with legislative, executive branch or regulatory agency officials to advance City objectives.

Last year, the City issued a request for proposals (RFP) for the Services and received no responses. A No-RFP Justification form describing how the City obtained and assessed a proposal from the Greenberg Traurig firm in lieu of responses to its RFP, is attached.

Respectfully submitted,
Malik D. Evans
Mayor

Attachment No. AW-228

Ordinance No. 2023-386
(Int. No. 433)

Authorizing an agreement for State lobbying services

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Greenberg Traurig, LLP to provide inter-governmental affairs services in connection with the City’s interactions with the New York State government. The term of the agreement shall be for the 2024 calendar year, with the option to extend the term for up to one additional year. The maximum compensation for the agreement shall be \$150,000, which shall be funded from the 2023-24 Budget of the Office of Mayor.

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. 2023-387
Re: Amendatory Agreement – Energetix Corporation, Drug and Alcohol Testing Services

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with Energetix Corporation (Susan Lobsinger, President, 175 Wood Road, Centereach, New York, 11720) to continue to provide drug and alcohol testing for pre-employment and New York State Department of Transportation compliance testing and reporting for an additional two months. The original agreement, authorized in Ordinance No. 2020-318, established maximum compensation of \$192,260 for a term from January 1, 2021 through December 31, 2023. An additional two months is needed for this agreement, with no additional compensation, in order for this service to continue to be provided to the City while the request for proposal process for a new agreement is completed.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-387
(Int. No. 434)

Authorizing an amendatory agreement for a Drug and Alcohol Testing 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 Energetix Corporation, to provide drug and alcohol testing for pre-employment and New York State Department of Transportation compliance testing and reporting. The amendatory

agreement shall amend the existing agreement authorized in Ordinance No. 2020-318 to extend the term by two months.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2023-388
Re: Amendatory Agreement – Employee Network, Inc., Employee Assistance Program

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with the Employee Network, Inc. (Gene Raymondi, Chief Executive Officer, Vestal, New York) to continue to provide services for the City’s Employee Assistance Program (EAP) for an additional three months. The original agreement, authorized in Ordinance No. 2020-317, established maximum compensation of \$88,776 for a term of three years. An additional three months is needed for this agreement, with no additional compensation, in order for this service to continue to be provided to City employees while the request for proposal process for a new agreement is completed.

Respectfully submitted,
Malik D. Evans
Mayor

Ordinance No. 2023-388
(Int. No. 435)

Authorizing an amendatory agreement for the Employee Assistance 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 Employee Network, Inc., to provide services for the City’s Employee Assistance Program. The amendatory agreement shall amend the existing agreement authorized in Ordinance No. 2020-317 to extend the term by three months.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2023-35
Re: Commissioners of Deeds

Transmitted herewith for your approval is legislation related to the appointment of Commissioners of Deeds. The proposed legislation establishes the number of Commissioners of Deeds at no more than 250 per year during calendar years 2023 and 2024. Since Fiscal Year 2004-05, not more than 175 have been issued per year, so the 250 annual maximum is expected to be sufficient to meet demand.

Respectfully submitted,
Miguel A. Meléndez, Jr.
President

Resolution No. 2023-35
(Int. No. 436)

Resolution establishing the maximum number of Commissioners of Deeds

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

Section 1. During calendar years 2023 and 2024, there shall be appointed no more than 250 Commissioners of Deeds annually.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2023-36
Re: Appointment to the Rochester Environmental Commission

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation confirming the appointment of Ms. Mia Monroe (Rochester, 14620) to the Rochester Environmental Commission (REC). The REC is responsible for activities related to New York State SEQRA Laws, including but not limited to, being an environmental advisor, commenting on environmental assessments, and reviewing environmental impact statements pursuant to Chapter 48 of the Municipal Code. Members are appointed for a three-year term and must be residents of the City of Rochester.

Ms. Monroe holds a Bachelor of Arts in Environmental Science Planning and Management. She currently works as a Solar Developer Associate with a local firm. Ms. Monroe will fill a current vacancy on the REC, and her term will expire on May 31, 2025. Ms. Monroe's resume is on file with the City Clerk's Office.

Respectfully submitted,
Malik D. Evans
Mayor

Resolution No. 2023-36
(Int. No. 438)

Approving an appointment to the Rochester Environmental Commission

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

Section 1. The Council hereby approves the appointment to the Rochester Environmental Commission of Mia Monroe as member for a term which shall expire on May 31, 2025.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2023-37
Re: Appointment and Reappointment-Rochester Public Library Board of Trustees

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation confirming the appointment of Dr. Karen Soanes, Rochester, NY 14620, and the reappointment of Donna P. Benjamin, Rochester, NY 14619 to the Rochester Public Library (RPL) Board of Trustees for five-year terms from January 1, 2024-December 31, 2028.

Dr. Soanes was recommended by the Nominating Committee of the RPL Board to fill a new five-year term left vacant by resigned trustee Marilyn O'Connor. The Board unanimously voted to recommend her for the appointment at the November meeting.

Ms. Benjamin is a trustee whose current term expires December 31, 2023. The Board unanimously voted to recommend her for an additional five-year term at the November Board Meeting.

Dr. Soanes' resume has been provided to the City Clerk.

Ms. Benjamin's resume and RPL Board Meeting attendance record have been provided to the City Clerk.

Respectfully submitted,
Malik D. Evans
Mayor

Resolution No. 2023-37
(Int. No. 439)

Resolution approving appointment and reappointment to the Rochester Public Library Board of Trustees

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

Section 1. The Council hereby approves the appointment and reappointment of the following individuals to the Rochester Public Library Board of Trustees, each for a term of five years encompassing January 1, 2024 through December 31, 2028:

Name	Resident	Category
Dr. Karen Soanes	Rochester, NY 14620	Appointment
Donna P. Benjamin	Rochester, NY 14619	Reappointment

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 7:14 pm.

HAZEL L. WASHINGTON
City Clerk