

AGENDA REVIEW
March 3, 2022
CITY COUNCIL MEETING MARCH 15, 2022

FINANCE COMMITTEE

FIN

Int. 90 (17) – Budget Transfer – Violence Prevention Services

Council Priority: Public Safety

Q: Meléndez – Do we have transfer the allocations made to Advanced Peace?

A: Per ordinance 2021-334 Council appropriated \$2.6 Million for the Peace Maker Fellowship Program. This includes \$353,800.00 that was placed in the 21-22 budget.

Q: Lupien – Please provide an update on Advanced Peace implementation.

A: The ONS Strategic plan is in the final phase of completion. The Community Town Halls, both in English and in Spanish have been completed as well as the focus groups. The final report and presentation are scheduled for March 29th. Job descriptions for the Fellowship have been received and approved. The GIS mapping for area churches, service providers and agencies have been completed. We will be in the recruitment and hiring phase by end of April.

Q: Smith – Please provide an overview of the deliverables and outcomes of Pathways to Peace and ONS?

A1: As Pathways is in the midst of a major transition of function from DRHS to the Mayor's Office some of the specifics of current deliverables are in the process of being accessed. The new Manager of Outreach for the Pathways to Peace program is currently attaining the pertinent stats that will be available at a later date.

Vital Customers

- External: Youth and adults at risk of or involved in serious violent incidents, families of violent youth or in a crisis involving youth, community service providers, community-at-large
- Internal: City of Rochester departments

Critical Processes

- Monitor high risk youth and adults through regular meetings and communication
- Mediate violent conflicts
- Provide presentations on anti-violence and gang issues
- Provide service linkages

Pathways has addressed numerous violent altercations and has assisted in mediating others that could have resulted in violence.

A2: ONS has solidified the contract with Aria Strategies as it relates to the ONS Strategic Plan, which will include a 1-year implementation plan, city safety plan, and accountability measures.

Completed to date;

- ✓ Focus Groups- completed
- ✓ Focus Groups- (Last with students to be completed on March 4th)
- ✓ Deployed community ambassadors to help push survey completion

- ✓ Surveys (ended February 28) We can validate this survey with over 95% confidence and a less than 5% margin of error because we got 619 responses the largest number of total responses has come from one of our most directly impacted age ranges, 25-40 year olds.
- ✓ Community Engagement
- ✓ Public Meetings
- ✓ Leadership Team Meetings
- ✓ Final report with findings and recommendations to be received by EOB on March 29th, 2022.

Regular monthly meetings and updates with the 51 Neighborhood Association Presidents providing ONS updates and planning.

Developing relationships with businesses and training partners for career, education, and social development for future Fellows.

Attending public and community events to inform about ONS.

Continued outreach in 10th Ward and other parts of the city to inform about ONS and its upcoming endeavors for helping to eliminate gun violence in our City.

Int. 91 (23) – Appointment – ABC Board

Q: Lupien – Why are appointments made to the ABC Board through legislation?

A: The City and Monroe County are each authorized to appoint a representative to the Board of Directors of Action for a Better Community, Inc. Of the City's representatives, one is appointed by City Council, and one is appointed by the Mayor, subject to confirmation by the City Council. The Council appointments have to be approved by council so as a matter of consistency historically, Mayor's appointment was sent to council as well. It is not required however.

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NEIGHBORHOOD & BUSINESS DEVELOPMENT

NBD

Int. 93 (12) – Lease Agreement – 18 Wren St, American Packaging Corporation

Council Priority: Public Safety

Q: Lupien – How many parking spots will be added?

A: This lease has been in place for 30 years and the “additional parking” noted in the transmittal refers to parking capacity beyond what the company has on their own parcel. The area is not striped but the leased area accommodates several large trucks with adequate space to maneuver which has been the main driver for this agreement. The leased area serves as parking for delivery vehicles, trucks and approximately 10 standard sized cars/SUV’s.

Q: Lupien – What was the formula used to determine the price of the lease?

A: The rental rate was established via an appraisal which was performed in January 2022.

Q: Peo – Why does the corporation lease the property instead of purchasing the property?

A: American Packaging Corporation has leased this area as opposed to purchasing it from the City for more than 30 years due to the liability related to environmental concerns at the former subway bed. The City does not convey properties with these issues as a way to manage risk and liability however allowing the use through a lease supports local business by giving a property owner/business owner the ability to utilize the

Int. No. 94 (1) – Amending the Municipal Code with respect to the prohibition of eviction without a Certificate of Occupancy or a good cause

Q: Gruber – Please provide an update on where the City of Albany is in terms of implemented Good Cause.

A: A group of housing providers has sued the City of Albany, contending that the Good Cause legislation is preempted by State law and violates property owners’ rights under the U.S. Constitution. The plaintiffs in that matter have moved for summary judgment, seeking a declaration that the law is invalid. The motion is presently scheduled to be argued on March 30, 2022, though on March 4, 2022 the City of Albany sought to adjourn that hearing to April 27, 2022. The City of Albany has not yet filed an opposition to the summary judgment motion.

Int. 112 (26) – Charter Amendments – Nuisance Abatement Law Points for Cannabis Offenses

Council Priority: Public Safety

Q: Lupien – What are the consequences for selling without a license?

Criminal penalties under the new Penal Law § 222 range from violation to felony-level offenses, and carry potential fines and/or incarceration. The proposed Charter amendments assign six nuisance points for a violation-level sale without a license, and ten nuisance points for misdemeanor- and felony-level sale offenses without a license. Thus, only activity that could result in criminal penalties is considered a nuisance. The Office of Cannabis Management (OCM), in Albany, will enforce other issues (such as the illegal gifting by retail establishments) , but those rules are not yet finalized. Recently, OCM issued cease and desist letters to businesses suspected of engaging in unlawful sale, and threatened loss of the ability to

obtain a license once regulations are established if ignored. OCM has made it clear that unlawful sale by businesses will have consequences.

Q: Lupien – Will it still be illegal for people selling in the legacy market?

A: Yes, sale by anyone other than a licensed dispensary will continue to be illegal under the Penal Law.

Q: Lupien – Can the City choose not to impose nuisance points for selling without a license?

A-The City has discretion in enforcement but the expectation is that the Administrators will uniformly assess points if an offense occurs as outlined in 10-12, and then utilize discretion in coming up with a resolution/abatement plan that suits the particular circumstances. If the Owner comes to the table, cooperates with us to work at abating the nuisance activity, there may not be any further action taken by the City to close that particular location. Thus, the points would just eventually expire if no further nuisance activity occurs.

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PARKS & PUBLIC WORKS

PPW

Int. 95 (1) – Rundel Memorial Library Exterior Building Envelope Repairs

Council Priority: Creating and Sustaining a Culture of Vibrancy

Q: Lupien – What is the total amount of ARPA funds that have been authorized by Council?

A: Per the Office of Management and Budget (OMB), City Council has authorized \$109,470,987 in ARPA funds up to and including approvals made by City Council at its February 2022 meeting. This ARPA funding for Rundel Memorial Library is the only requested ARPA funds for this facility to date.

Q: Gruber – What is the expected date of completion?

A: The project is tentatively planned to be complete in late-2024.

Int. 96, 97 (2) – Erie Harbor Enhancements Phase II

Council Priority: Jobs and Economic Development

Q: Gruber – Will this impact people's ability to use the trail during construction?

A: Yes. Trail closure during construction will be necessary for the safety of the general public as well as our construction contractor. The contractor will be required to comply with the attached Work Zone Traffic Control Plan to direct trail users around the project site using the Mt. Hope Avenue sidewalks. Due to construction work on and adjacent to the sidewalk at the park opposite Alexander Street, trail traffic will be directed to cross Mt. Hope Avenue to the sidewalk on the east side. **(ATTACHMENT A)**

Int. 98 (3) – 2022 Annual Parking Garage Repair & Reconstruction Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Q: Lupien – Please provide an update on the Stone St and South Ave parking garage projects in regards to the CIP.

A: Attached is the five-year capital plan for the South Avenue Garage and Stone Street wing from the 2021-2022 Approved City Budget. ARPA funding is being added to the 2019-20 (Stone St. Wing of the South Avenue Garage – Parking Debt) and 2020-21 (Parking Cash Capital) annual funds to increase the number of areas to be repaired in 2022, thereby accelerating critical repairs. DES is revisiting the upcoming fiscal year amounts and projections to address inflation and the evolving repair needs within this critical City facility and will be requesting adjusted amounts within the spring budget process. **(ATTACHMENT B)**

Int. 99 (4) – Durand Eastman Beach Site Improvements

Council Priority: Creating and Sustaining a Culture of Vibrancy

Q: Lupien – What is the expected date of completion?

A: An updated masterplan is anticipated begin this summer and be completed by December 2022. This would address drainage improvements, erosion control measures, restoration of eroded slopes and trails, site infrastructure and amenities, park space improvements, accessible and safe beach access, picnic areas, shelters, and a bus stop for boarding and alightings. A construction schedule will be created upon completion of the updated masterplan. These recommendations will be implemented in phases as funding becomes available.

Q: Gruber – Have there been conversations with RGRTA regarding the bus stop?

A: No, conversations with RGRTA regarding a bus stop have not yet started. Conversations with RGRTA will be initiated as the master plan update begins this summer.

Int. 100 (5) – Genesee Firehouse HVAC Upgrades and Window Replacement Project

Council Priority: Jobs and Economic Development

Q: Lupien – Regarding boiler and A/C, both can be done at the same time using an air source heat pump. Has there been an analysis on this to determine if this is a good solution?

A: The use of air source heat pumps was considered, but would have required a supplemental heat source to be added to the new heat recovery ventilation units. The high efficiency gas furnaces were also preferred by DES Building Services for having less complex maintenance needs.

Int. 101 (6) – Maplewood Nature Center

Council Priority: Creating and Sustaining a Culture of Vibrancy

Q: Meléndez – Has there been significant planning regarding programming of the Center once it's open? If so, please provide these plans.

A: Per the Department of Recreation and Human Services (DRHS), over the past three years DRHS has done extensive brainstorming with community partners that have expertise in environmental education to help shape the scope of potential nature center programming. Current partners include the Seneca Park Zoo Society, Genesee Land Trust, The Nature Conservancy, St. John Fisher College's Office of Sustainability, Genesee Riverwatch, NYS Department of Environmental Conservation, Rochester Public Library, WXXI and several other groups. DRHS' goal is to offer a robust array of programming at the nature center site that appeals to a diverse array of City residents. Programming ideas include: school day / after school environmental education programs, summer camp opportunities, green job career training, RCSD expeditionary learning field trips, and conservation/energy efficiency/green technology workshops. As the Maplewood Nature Center project moves into the next phase of development, DRHS will continue to meet with community partners and neighborhood stakeholders to focus in on key program areas and finalize a portfolio of program offerings that can be shared with City Council.

Int. 102, 103, 104 (7) – Milling and Resurfacing Project Chestnut Street (East Broad Street to East Main Street), East Avenue (East Main Street to Alexander Street), North Goodman Street (Peck Street to Bay Street and Clifford Avenue to City Line)

Council Priority: Jobs and Economic Development

Q: Lupien – Is the seasonal protected bike lane on Chestnut St. going to be maintained?

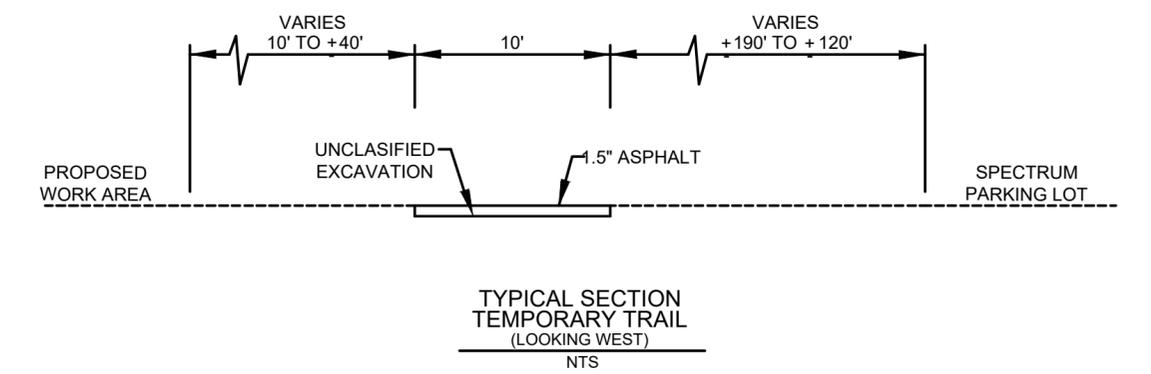
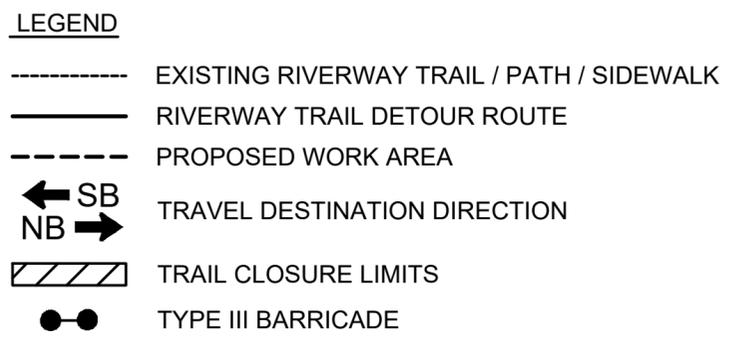
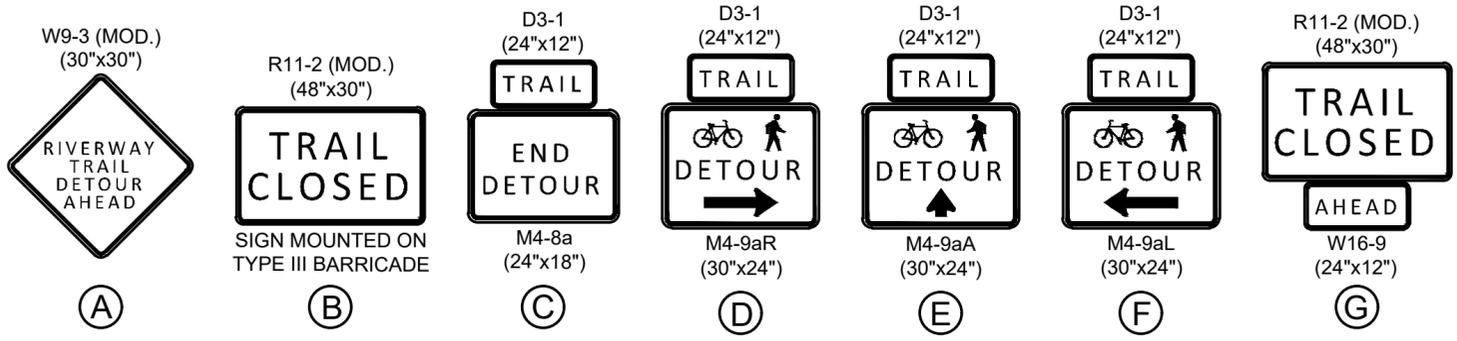
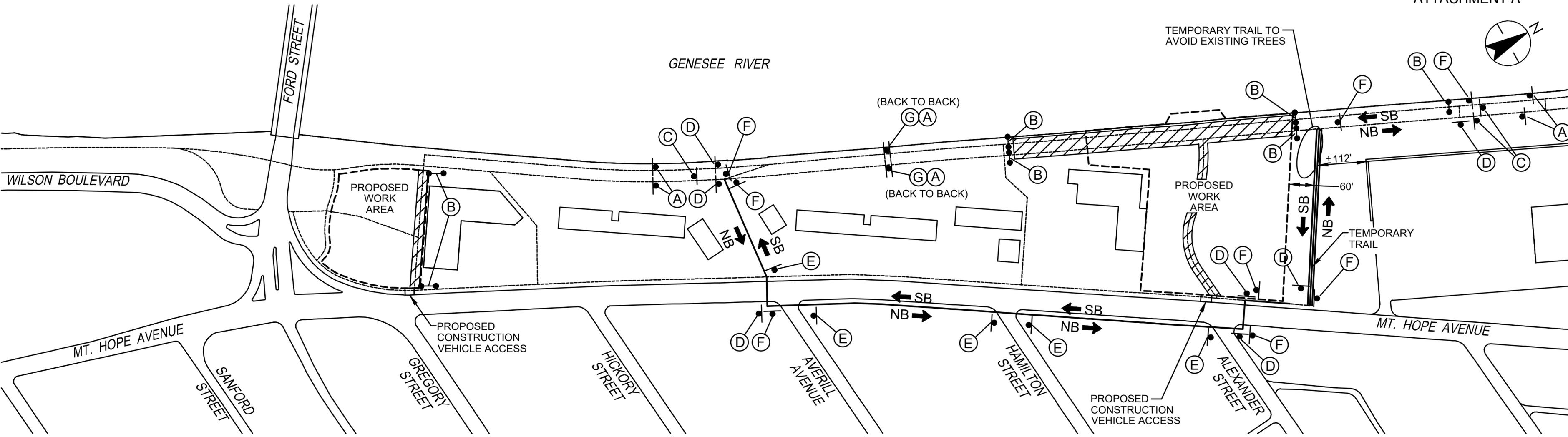
A: Bike lanes are proposed adjacent to the curb along both sides of Chestnut Street from East Avenue to East Main Street and will be separated from traffic by a 4'- to 5'-wide striped buffer area. Outside of the project area, delineators are anticipated to be reinstalled in April 2022 between East Main Street and Andrews Street, which is outside the project area.

Int. 106 (9) – Official Map Amendment – Chace Street Partial Abandonment

Council Priority: Reinforcing Strong Neighborhoods and Fostering Prosperity & Opportunity

Q: Lupien – Please provide an update on the properties that were proposed to be acquired through eminent domain in 2020.

A: For properties where negotiations for purchase have yet to be completed, the City is continuing to work with its partners on the Rochester Joint Schools Construction Board on options for fully implementing the planned improvements at School 54.



2021-22 TO 2025-26**Capital Improvement Program****MUNICIPAL FACILITIES****Garage Improvement Program**

Annual parking garage evaluation and improvement program.

<u>Funding Source</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>TOTAL</u>
Parking Cash Capital	0	1,160	1,350	1,130	1,880	5,520
	<u>0</u>	<u>1,160</u>	<u>1,350</u>	<u>1,130</u>	<u>1,880</u>	<u>5,520</u>

Parking Access Revenue Control System and Parking Enforcement

Convert existing software and hardware from Parking Soft platform to T2 Systems Flex Platform, and add Flex Parking Enforcement module to the software platform

<u>Funding Source</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>TOTAL</u>
Parking Cash Capital	0	0	1,150	0	0	1,150
	<u>0</u>	<u>0</u>	<u>1,150</u>	<u>0</u>	<u>0</u>	<u>1,150</u>

South Avenue Garage Upgrades

Supplemental P/T and improvements, new revenue control.

<u>Funding Source</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>TOTAL</u>
Parking Cash Capital	0	1,371	1,248	1,194	1,400	5,213
	<u>0</u>	<u>1,371</u>	<u>1,248</u>	<u>1,194</u>	<u>1,400</u>	<u>5,213</u>

Stone Street Garage

Stone Street Wing of South Avenue Garage

<u>Funding Source</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>TOTAL</u>
Parking Debt	0	611	632	845	1,000	3,088
	<u>0</u>	<u>611</u>	<u>632</u>	<u>845</u>	<u>1,000</u>	<u>3,088</u>

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PUBLIC SAFETY

PS

Int. 113 (21) – Agreement – AllPaid, Inc., Bail Credit Card Services

Council Priority: Public Safety

Q: Lupien – Is the 7% fee on the total bail amount?

A: Yes

Q: Lupien – Why is this fee set at 7%?

A: The vendor assumes all risks for fraud, collection, default, and the return of funds. They also provide the State bail fund with bail funds collected.

Q: Martin – Please provide a comparative analysis of other companies and the fees they charge? Why was this agency selected when the fee is so high?

A: We were unable to find another company that provides this service.