

ROCHESTER CITY COUNCIL

REGULAR MEETING

July 18, 2023

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

Absent – Councilmember Lightfoot - 1.

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

**THE COUNCIL PRESIDENT --- RECOGNITION CEREMONIES.**

**Special Recognitions:**

Sara Martone  
Adrienne Davis

**Retirement:**

**DRHS:**

Carol Y. Thomas

**Library:**

Cynthia Dana  
Joan E. Lee  
Mary Royce

**RFD:**

Scott J. Erbland  
Douglas L. Knapp

**RPD:**

Anthony Camilo  
Shane P. Leddon  
Jeffrey T. Mitchell  
Richard E. Waldo Jr.

**APPROVAL OF THE MINUTES**

By Councilmember Peo

RESOLVED, that the minutes of the Regular Meeting on June 20, 2023 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

THE CITY CLERK – THE FOLLWING DOCUMENTS ARE HEREBY DIRECTED TO BE RECEIVED AND FILED

The Mayor submits the following:

Delinquent Receivables for the month ending June 30, 2023

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

The Council submits Disclosure of Interest Forms from **Councilmember Gruber** on Int. Nos. 268, 292 and 295; **Vice President Lupien and Councilmember Harris** on Int. Nos. 310, 312 and 313.

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

Councilmember Harris presented a petition with 2,010 signatures advocate on behalf of Ryan J. Grantham, Jr. regarding the implementation of traffic measures on Thurston Rd.

**THE COUNCIL PRESIDENT** --- RECEIVED AND FILED.

PUBLIC HEARINGS.

**Pursuant to law, public hearings were held on July 13, 2023 on the following matters:**

Authorizing the sale of the Court Street Parking Garage      Int. No. 293

No speakers

Designating LAZ Parking Realty Investors II, LLC or an entity to be formed by its principals as qualified and eligible to purchase, operate and maintain the Court Street Parking Garage  
Int. No. URA-3

One speaker

REPORTS OF STANDING COMMITTEES  
AND ACTION THEREON

By President Meléndez  
July 18, 2023

To the Council:

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

Int. No. 268      Authorizing an amendatory agreement for the Lincoln Branch Library reconfiguration

Int. No. 269      Authorizing an amendatory agreement relating to the Maplewood Nature Center project

- Int. No. 270 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,800,000 Bonds of said City to finance the Rochester Water Works Building Renovation Project
- Int. No. 271 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$700,000 Bonds of said City to finance preliminary surveys, studies, designs and cost estimates for a High Falls Vertical Gorge Access facility, **as amended**
- Int. No. 272 Authorizing an agreement relating to the High Falls Water Works Building and Gorge Vertical Access project
- Int. No. 273 Authorizing funding and an amendatory agreement for the Blue Cross Arena Riverside Addition
- Int. No. 274 Authorizing an amendatory agreement relating to the ROC City Skatepark – Phases II and III project
- Int. No. 275 Appropriating funds for the Genesee Street Reconstruction Project
- Int. No. 276 Appropriating funds for the 2023 Preventive Maintenance Group 1 project
- Int. No. 277 Resolution authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of the Highway Preventive Maintenance Group 1 transportation federal-aid project, and appropriating funds therefor
- Int. No. 278 Authorizing an agreement relating to the Seneca Avenue Reconstruction Project
- Int. No. 279 Authorizing Consolidated Funding Grant applications and agreements
- Int. No. 280 Authorizing an agreement for the fueling of vehicles
- Int. No. 281 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$4,500,000 Bonds of said City to finance the acquisition of nine automated solid waste collection vehicles, one automated recycling collection vehicle and plow frames to be attached to the foregoing ten vehicles
- Int. No. 282 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,200,000 Bonds of said City to finance the acquisition of five sweeper vehicles, two patch trucks and two loaders
- Int. No. 283 Authorizing the 2023-24 Water Main Cleaning & Lining and Lead Service Line Replacement Project
- Int. No. 284 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,333,000 Bonds of said City to finance a portion of the costs of the 2023-24 Water Main Cleaning & Lining and Lead Service Line Replacement Project
- Int. No. 285 Authorizing an agreement and appropriation for the ~~2021-22~~-NYS Water Infrastructure Improvement Act funded 2023 Lead Service Line Replacement Project, **as amended**

Int. No. 286 Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,000,000 Bonds of said City to finance a portion of the costs of the ~~2021-22~~ NYS Water Infrastructure Improvement Act funded 2023 Lead Service Line Replacement Project, **as amended**

Int. No. 287 Authorizing amendatory agreements related to the Transitional Job Training and Placement Project

Respectfully submitted,  
Willie J. Lightfoot  
Mitch Gruber  
Jose Peo  
Mary Lupien  
Miguel A. Meléndez, Jr.

**PARKS & PUBLIC WORKS COMMITTEE**

Received filed and published

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-234  
Re: Amendatory Agreement – Edge Architecture, PLLC - Lincoln Branch Library Reconfiguration

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing an amendatory professional services agreement with Edge Architecture, PLLC, (Allen Rossignol, C.E.O., 277 Alexander Street, Suite 407, Rochester, New York) to provide additional construction administration and Resident Project Representation (RPR) services for the project. The original agreement for \$60,000 was authorized by Ordinance No. 2020-195 for design services through schematic design and amended by Ordinance No. 2021-209 to \$244,050 for final design, bid and award, and construction phase services. This amendment will increase the maximum total compensation by \$40,000 to a maximum total of \$284,050 for additional construction phase services needed for an extended construction period. The project timeline has been extended due to contractor delays. The amendment will be funded with 2021-22 Cash Capital.

The project includes a reconfiguration of the entire library which includes a new circulation desk with better sites lines to all programs, removing the wall between the library and the toy library and adding a new family restroom for neighborhood patrons. The exterior façade will get a face lift enhancing the neighborhood.

Construction is anticipated to be complete in June 2023. The amended agreement will result in the creation and/or retention of the equivalent of 0.4 full-time jobs.

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

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-146

**Authorizing an amendatory agreement for the Lincoln Branch Library reconfiguration**

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 Edge Architecture, PLLC to provide additional construction administration and Resident Project Representation (RPR) services for the reconfiguration of the Lincoln Branch Library. The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2020-195 and amended by Ordinance No. 2021-209 to increase the maximum compensation by \$40,000 to a new total of \$284,050. The amendatory compensation shall be funded with 2021-22 Cash Capital.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No 2023-235  
Re: Amendatory Agreement – Architectura, P.C. – Maplewood Nature Center

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Maplewood Nature Center project. This legislation will authorize an amendatory professional services agreement with Architectura, P.C., (Jennifer F. Takatch, C.E.O., 17 Pitkin Street, Suite 100, Rochester, New York) for additional architectural and engineering design services for the project. The original agreement for \$250,000 was authorized by Ordinance No. 2022-307 for design services through schematic design. This amendment will increase the maximum total compensation by \$595,000 to a maximum total of \$845,000 for final design and bid and award services. The amendment will be funded with American Rescue Plan Act (ARPA) funds as appropriated in Ordinance No. 2022-81.

The structure currently housing the Maplewood Training Center was built in 1945 in upper Maplewood Park, which was designed by Frederick Law Olmsted and highlights the Genesee River. This building has been re-purposed a number of times and has previously been utilized as a recreation center and a police station. The City of Rochester offers a number of nature and environmental education programs, but lacks a facility equipped to provide specialized programming in a comprehensive manner. The renovation of this structure and enhancement of the adjacent parkland to serve as a Nature Center will provide an activated connection between the Genesee River and the surrounding neighborhoods and the city as a whole. A new playground adjacent to the proposed Nature Center is a separate, coordinated project. Final design shall not commence until such time as an environmental impact review of the project, under the State Environmental Quality Review Act, is completed.

This proposed legislation has been developed by the Department of Environmental Services (DES) in collaboration with the Department of Recreation and Human Services (DRHS). Design services associated with this amendatory will commence in summer 2023. Construction

is anticipated to begin in fall 2024. The amendatory agreement will result in the creation and/or retention of the equivalent of 6.5 full-time jobs.

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

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-147

Ordinance No. 2023-235  
(Int. No. 269)

**Authorizing an amendatory agreement relating to the Maplewood Nature Center project**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Architectura, P.C. for architectural and engineering design services for the Maplewood Nature Center project (Project). The amendatory agreement shall amend the existing agreement authorized by Ordinance No. 2022-307 to add final design and bid services to the scope of work, to increase the maximum compensation by \$595,000 to a new total of \$845,000, and to extend the term to three months after completion of the two-year guarantee inspection of the Project. The amendatory compensation for the agreement shall be funded by the American Rescue Plan Act funds appropriated for the Project pursuant to Ordinance No. 2022-81.

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. 2023-236  
Ordinance No. 2023-237  
Ordinance No. 2023-238

Re: Agreement – CJS Architects, LLP – Rochester Water Works Building Renovation and Gorge Vertical Access

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Rochester Water Works Building Renovation and Gorge Vertical Access Project. This legislation will:

1. Authorize the issuance of bonds totaling \$2,500,000 and the appropriation of the proceeds thereof to partially finance the cost of architecture and engineering design and construction proposed in the 2022-23 CIP as a debt exception; and

2. Establish \$2,000,000 as maximum compensation for a professional services agreement with CJS Architects, LLP (Craig Jensen, P.E.O., 114 South Union Street, Rochester, New York) for architecture and engineering design services. The agreement will be funded from bonds appropriated herein.

This project encompasses a multi-phased investment at the City-owned Rochester Water Works Building located in the High Falls District. Under the ROC the Riverway Initiative, this project is proposed to be completed in three phases. Phase 1 includes renovation of the Water Works Building to provide a new visitor center, public restrooms, and accessible multi-use community space. Phase 2 will review strategic opportunities for utilizing the base of the river gorge as a public open space in partnership with New York State. Phase 3 will review strategic opportunities to create vertical public access to/from the base of the gorge to the Rochester Water Works Building. A full review of strategic opportunities for utilizing the Water Works Building will be a key consideration during the design process.

The City-owned Rochester Water Works Building, a two-story, 7,000 square foot building, built in 1873, is located in the Brown’s Race Historic District, which is registered in the State and National Register of Historic Places.

The agreement includes investigation, design, bid and award, and construction administration of the Rochester Water Works building renovations; and investigation and design of the vertical access to the lower level of the gorge. Final design shall not commence until such time as an environmental impact review of the project, under the State Environmental Quality Review Act, is completed

The project will be funded as follows:

Source of Funds	Design	Construction	Total
Empire State Development Funding authorized Ordinance No. 2021-242	\$0	\$2,000,000	\$2,000,000
NYS Office of Parks, Recreation and Historic Preservation Funding appropriated Ordinance No. 2022-104	\$0	\$500,000	\$500,000
Bonds authorized herein	\$2,000,000	\$500,000	\$2,500,000
<b>Total</b>	<b>\$2,000,000</b>	<b>\$3,000,000</b>	<b>\$5,000,000</b>

CJS Architects, LLP was selected for investigation, design, bid and award, and construction administration services through a request for proposal process that is described in the attached summary.

Consultant services for design will commence in fall 2023. Construction is anticipated to begin in fall 2025. The agreement will result in the creation and/or retention of the equivalent of 21.7 full- time jobs.

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

Respectfully submitted,  
 Malik D. Evans  
 Mayor

Attachment No. AW-148

Ordinance No. 2023-236  
 (Int. No. 270)

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$1,800,000 Bonds of said City to finance the Rochester Water Works Building Renovation Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance a portion of the costs of renovations to the Rochester Water Works Building, 74 Brown's Race, to provide a welcome center, accessible multi-use community space and other amenities for visitors to the High Falls District (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,300,000. The plan of financing includes the issuance of \$1,800,000 bonds of the City, which amount is hereby appropriated therefor, \$2,000,000 in anticipated reimbursements from the Empire State Development authorized for the High Falls Waterworks Building and Gorge Vertical Access project by Ordinance No. 2021-242, \$500,000 in anticipated reimbursements from the New York State Office of Parks, Recreation and Historic Preservation appropriated for the Rochester Water Works Building Renovation and Gorge Vertical Access at High Falls - Phase One project by Ordinance No. 2022-104, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$1,800,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$1,800,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.12 of the Law, is twenty-five (25) years.

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

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

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

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

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

Passed unanimously.

Ordinance No. 2023-237

(Int. No. 271)

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$700,000 Bonds of said City to finance preliminary surveys, studies, designs and cost estimates for a High Falls Vertical Gorge Access facility, as amended**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of preliminary surveys, studies, plans, designs and cost estimates as needed to ascertain whether and how to establish a High Falls Vertical Gorge Access facility that would provide public access from the Rochester Water Works Building at 74 Brown's Race to public open space at the base of the river gorge (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$700,000. The plan of financing includes the issuance of \$700,000 bonds of the City, which amount is hereby appropriated therefor, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of ~~\$1,800,000~~ \$700,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of ~~\$1,800,000~~ \$700,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 62 of the Law, is five (5) years.

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

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

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

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

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

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Ordinance No. 2023-238  
(Int. No. 272)

**Authorizing an agreement relating to the High Falls Water Works Building and Gorge Vertical Access 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 CJS Architects, LLP to provide architecture and engineering design services for Phases 1, 2 and 3 of the High Falls Water Works Building and Gorge Vertical Access project (Project). The services authorized herein shall not proceed beyond preliminary surveys and studies, conceptual planning and design and cost estimates until such time as an environmental impact review of the Project is completed in

accordance with SEQRA and City Code Chapter 48. The maximum compensation for the agreement shall be \$2,000,000, which shall be funded from the proceeds of the bonds authorized concurrently in Ordinance Nos. 2023-236 and 2023-237. The term of the agreement shall continue until 3 months after the completion of the 2-year guarantee inspection of the Project.

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. 2023-239

Re: Amendatory Agreement – Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. – Blue Cross Arena Riverside Addition

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Blue Cross Arena Riverside Addition Project. This legislation will:

1. Appropriate \$1,320,000 in anticipated reimbursements from ROC the Riverway/Upstate Revitalization Initiative funding administered by Empire State Development to finance a portion of engineering and design of the project; and,
2. Authorize an amendatory professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. (Joseph Dopico, C.E.O., 280 East Broad Street, Suite 200, Rochester, NY) for additional architectural and engineering design services for the project. The original agreement, authorized by Ordinance No. 2020-221, established maximum compensation of \$300,000. This amendment will increase compensation by \$1,320,000, to a maximum total of \$1,620,000. The increase in compensation agreement will be funded from anticipated reimbursements appropriated herein.

The Blue Cross Arena Riverside Addition Project, as part of the ROC the Riverway program, includes a multi-story expansion and modernization on the riverside of the arena to create an expanded high quality space compatible with the functional needs of the arena for an improved patron experience that enhances viewing of arena events and the Genesee River simultaneously. The project includes, but is not limited to, reconfigured suites to create Club Seating on the third level, expanded concession space for additional vendors and expanded viewing areas on the second level, and updated riverside meeting rooms on the first level.

The original agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. included preliminary design and State Environmental Quality Review Act review. The amendatory agreement will fund final design and construction administration services for the project.

Consultant services for design of the project began in summer 2020. Construction is anticipated to begin in late 2024 and be substantially complete in late 2026. The amendatory agreement will result in the creation and/or retention of the equivalent of 14.4 full-time jobs.

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

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-149

Ordinance No. 2023-239  
(Int. No. 273)

**Authorizing funding and an amendatory agreement for the Blue Cross Arena Riverside Addition**

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

Section 1. The Council hereby appropriates \$1,320,000 in anticipated reimbursements from ROC the Riverway/Upstate Revitalization Initiative administered by Empire State Development to fund engineering and design services for the Blue Cross Arena Riverside Addition (the Project). The Mayor is hereby authorized to execute an agreement and such other documents as may be necessary to receive and administer the funding.

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. to provide additional architectural and engineering design services for the Project. The amendatory agreement shall modify the existing agreement authorized by Ordinance No. 2020-221 to add final design and construction administration services to the scope of work, to increase the maximum compensation by \$1,320,000 to a new total of \$1,620,000, and to extend the term to three months after completion of the two year guarantee inspection of the Project. The amendatory compensation shall be funded from the appropriation authorized in Section 1 herein.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nay - Vice President Lupien - 1.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-240  
Re: Amendatory Agreement – Stantec Consulting Services, Inc. – ROC City Skatepark  
Phases II and III

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation authorizing an amendatory professional services agreement with Stantec Consulting Services, Inc. (James R. Hoffman, Jr., Principal, 61 Commercial Street, Suite 100, Rochester, New York). This amendment will increase the compensation by \$150,000 to a maximum total of \$375,000. The additional cost for the agreement will be funded with 2016-17 Cash Capital.

Ordinance No. 2021-270 authorized an agreement with Stantec for preliminary and final design and bidding services for Phase II of the ROC City Skatepark with a maximum compensation of \$150,000. Prior to entering into an agreement with Stantec the ordinance was amended in September 2021 (Ordinance No. 2021-270) to include preliminary design and State Environmental Quality Review Act (SEQRA) services for Phase III and to increase the maximum compensation to \$225,000.

This amendatory agreement will fund construction administration services for Phase II and final design, bidding, and construction administration services for Phase III of the ROC City Skatepark.

ROC City Skatepark is a customized wheel-friendly skate park located under and adjacent to the Frederick Douglass-Susan B. Anthony Memorial Bridge. Phase I of the first outdoor public skate park in Rochester opened to the public in November 2020.

Phase II of the ROC City Skatepark will include an additional 11,200 square feet of custom concrete skate area. Phase III will include a new building that may include, but is not limited to, restroom facilities and storage. These improvements will add amenities to create one of the largest skate parks in the area at a time when skateboarding has increased significantly in popularity since the addition of the sport to the Olympics.

Design of Phases II and III began in May 2022. The project was presented to the public on August 2, 2022 using a remote meeting format. Conceptual design options were presented to the public at an in-person meeting on January 11, 2023. Both meetings were followed by online surveys to collect feedback from the public. A final public meeting will be held in late 2023.

This proposed legislation has been developed by the Department of Environmental Services (DES) in collaboration with the Department of Recreation and Human Services (DRHS).

The agreement will result in the creation and/or retention of the equivalent of 1.6 full-time jobs.

The term of the agreement shall be changed to extend until three (3) months after the completion of the two (2) years inspection of the project.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-150

Ordinance No. 2023-240  
(Int. No. 274)

**Authorizing an amendatory agreement relating to the ROC City Skatepark – Phases II and III 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 Stantec Consulting Services Inc. relating to the ROC City Skatepark – Phases II and III project (Project). The amendatory agreement authorized by Ordinance No. 2021-270 and

amended by Ordinance No. 2021-303 is hereby authorized to be modified by adding to the scope of work construction administration services for Phase II and final design, bidding and construction administration services for Phase III, by increasing the maximum compensation by \$150,000 to a new total of \$375,000, and by extending the term to three months after completion of the two year guarantee inspection of the Project. The amendatory compensation shall be funded with 2016-17 Cash Capital.

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. 2023-241  
Re: Genesee Street Reconstruction Project (Elmwood Avenue to Brooks Avenue)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Genesee Street Reconstruction Project. This legislation will:

1. Appropriate \$1,950 in anticipated reimbursements from the New York State (NYS) Marchiselli Aid Program to finance a portion of ROW acquisition and incidental services for the project; and,
2. Amend Section 2 of Ordinance No. 2022-106, which authorized the Mayor to enter into an agreement with NYSDOT to provide ROW acquisition and incidental services for the Project, by increasing the maximum compensation for the agreement by \$2,200 to a maximum total of \$2,600, which will be funded with \$250 of 2021-22 Cash Capital and \$1,950 of Marchiselli Aid appropriated herein.

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

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

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

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-151

**Appropriating funds for the Genesee Street Reconstruction Project**

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

Section 1. The Council hereby appropriates the sum of \$1,950 in anticipated reimbursements from the New York State Marchiselli Aid Program to fund a portion of the right-of-way (ROW) acquisition and incidental services for the Genesee Street Reconstruction Project (Elmwood Avenue to Brooks Avenue).

Section 2. Section 2 of Ordinance No. 2022-106, Authorizing agreements and funding modifications for the Genesee Street Reconstruction Project, is hereby amended as follows:

Section 2. The Mayor is hereby authorized to enter into an agreement with NYSDOT to provide ROW acquisition and incidental services for the Project. The maximum compensation for the agreement shall be ~~\$400~~ \$2,600, which shall be funded in the amounts of \$650 from 2021-22 Cash Capital and \$1,950 in NYS Marchiselli Aid appropriated in Ordinance No. 2023-241.

Section 3. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-242  
Resolution No. 2023-22  
Re: 2023 Preventive Maintenance Group 1 - East Avenue (Culver Road to Probert Street),  
Culver Road (Garson Avenue to Laurelton Road), Culver Road (Clifford Avenue to Norton  
Street), South Avenue (E. Henrietta Road to Elmwood Avenue), University Avenue (Culver  
Road to Blossom Road)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the 2023 Preventive Maintenance Group 1 Project, which includes segments of East Avenue, Culver Road, South Avenue and University Avenue as described above. This legislation will:

1. Appropriate \$785,249 in anticipated reimbursements from the New York State (NYS) Marchiselli Aid Program to finance a portion of the construction and Resident Project Representation (RPR) services for the project; and,
2. Amend Section 1 of Ordinance No. 2023-39, which appropriated \$4,200,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance a portion of the construction and Resident Project Representation (RPR) costs for the project, by reducing the federal funds by \$12,011 to a new total of \$4,187,989; and,

3. Amend Section 1 of Ordinance No. 2023-41, which established funding for an agreement with Greenman-Pedersen, Inc. for Resident Project Representation (RPR) services related to this project, by reducing \$103,532.56 of street bonds authorized in Ordinance No. 2023-40, and reducing 2022-2023 Cash Capital by \$8,967.61 and replacing those funds with \$112,500.17 of the NYS Marchiselli Aid appropriated herein; and,
4. Approve a resolution, in a form that is required by NYSDOT, that will confirm the City's prior authorizations of the project, commit the City to pay for the State-funded portion of the project in the first instance before seeking reimbursement from the State, and if applicable, commit the City Council to meet promptly to consider appropriating money to make up any cost overruns.

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

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, and replacement of traffic pavement markings and the addition of on-street 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.

Construction began in spring 2023 and is anticipated to be substantially complete in fall 2023.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-152

Ordinance No. 2023-242  
(Int. No. 276)

### **Appropriating funds for the 2023 Preventive Maintenance Group 1 project**

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

Section 1. The Council hereby appropriates the sum of \$785,249 in anticipated reimbursements from the New York State Marchiselli Aid Program to fund a portion of the Resident Project Representation and construction costs for the 2023 Preventive Maintenance Group 1 project for East Avenue (Culver Road to Probert Street), Culver Road (Garson Avenue to Laurelton Road), Culver Road (Clifford Avenue to Norton Street), South Avenue (E. Henrietta Road to Elmwood Avenue) and University Avenue (Culver Road to Blossom Road) (Project).

Section 2. Section 1 of Ordinance No. 2023-39, Appropriating funds for the 2023 Preventive Maintenance Group 1 project, is hereby amended as follows:

Section 1. The Council hereby appropriates the sum of ~~\$4,200,000~~ \$4,187,989 in anticipated reimbursements from the Federal Highway Administration to fund a portion of the construction and Resident Project Representation costs for the 2023 Preventive Maintenance Group 1 project for East Avenue (Culver Road to Probert Street), Culver Road (Garson Avenue to Laurelton Road), Culver Road (Clifford Avenue to Norton Street), South Avenue (E. Henrietta Road to Elmwood Avenue) and University Avenue (Culver Road to Blossom Road) (the Project).

Section 3. Section 1 of Ordinance No. 2023-41, Authorizing an agreement for the 2023 Preventive Maintenance Group 1 project, is hereby amended as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Greenman-Pedersen, Inc. to provide Resident Project Representation services for the 2023 Preventive Maintenance Group 1 project for East Avenue (Culver Road to Probert Street), Culver Road (Garson Avenue to Laurelton Road), Culver Road (Clifford Avenue to Norton Street), South Avenue (E. Henrietta Road to Elmwood Avenue) and University Avenue (Culver Road to Blossom Road) (the Project). The term of the agreement shall continue to six months after final completion of the Project. The maximum compensation for the agreement shall be \$750,000, which shall be funded in the amounts of \$600,002 in anticipated reimbursements from the Federal Highway Administration appropriated in ~~a concurrent ordinance~~ Ordinance No. 2023-39, \$112,500.17 in NYS Marchiselli Aid appropriated in Ordinance No. 2023-242 ~~\$138,041~~ \$34,508.44 from the proceeds of bonds appropriated in ~~a concurrent ordinance~~ Ordinance No. 2023-40, and ~~\$11,957~~ \$2,989.39 in 2022-23 Cash Capital.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Resolution No. 2023-22  
(Int. No. 277)

**Resolution authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of the Highway Preventive Maintenance Group 1 transportation federal-aid project, and appropriating funds therefor**

WHEREAS, a project for Highway Preventive Maintenance Group 1, P.I.N. 4CR0.13 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Rochester desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of engineering design, construction administration, construction and Resident Project Representative (RPR) services.

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

THAT the Council hereby approves the above-subject Project;

THAT the Council hereby authorizes the City of Rochester to pay in the first instance 100% of the federal and non-federal share of the costs of engineering design, construction administration, construction and Resident Project Representative (RPR) services for the Project or portions thereof;

THAT the sum of \$6,511,205.36 is hereby appropriated pursuant to Ordinance No. 2021-241 (\$480,000), Ordinance No. 2021-363 (\$90,000), Ordinance No. 2023-39 (\$180,000), Ordinance No. 2023-40 (\$688,000), Ordinance No. 2023-39 as amended by Ordinance No. 2023-242 (\$4,187,989), Ordinance No. 2023-242 (\$785,249), \$24,101.47 in anticipated reimbursements from the Rochester Pure Waters District authorized in Ordinance No. 2022-21, \$55,000 from 2021-22 Cash Capital, and \$20,865.89 from 2022-23 Cash Capital

THAT in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, this Council shall convene as soon as possible to appropriate said excess amount immediately upon notification by the City Engineer thereof;

THAT the Mayor of the City of Rochester be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Rochester with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the

municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible;

THAT a certified copy of this resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

THAT this Resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-243

Re: Agreement – CHA Consulting, Inc. – Seneca Avenue Reconstruction (Norton Street to E. Ridge Road)

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Seneca Avenue Reconstruction Project. This legislation will establish \$800,000 as total maximum compensation for a professional services agreement with CHA Consulting, Inc. (Michael D. Carroll, C.E.O., 100 Chestnut Street, Rochester, New York) for engineering design and construction administration services related to this project.

The agreement will be funded from:

<b>Source of Funds</b>	<b>Amount</b>
2019-20 Cash Capital	\$444,000
2020-21 Cash Capital	\$25,000
2021-22 Cash Capital	\$195,000
2022-23 Cash Capital	\$136,000
<b>Total</b>	<b>\$800,000</b>

The project includes, but is not limited to pavement reconstruction, curbs, spot sidewalk replacement, curb ramp upgrades, street lighting improvements, traffic signal upgrades, spot water main and water service replacements, hydrant upgrades, adjustment and/or replacement of catch basins, repair of utility appurtenances, and other various improvements as funding allows. The addition of bicycle facilities and curb bump-outs will be evaluated during preliminary design. These improvements will improve the surface drainage and riding quality of the roadway, improve accessibility, and expand the useful life of the pavement structure.

This section of Seneca Avenue was last reconstructed in approximately 1937 with a milling and resurfacing in 1980.

CHA Consulting, Inc. was selected to provide engineering design and construction administration services through a request for proposal process, which is described in the attached summary. Design services will begin in August 2023. Construction is anticipated to begin in spring of 2025. The agreement will result in the creation and/or retention of the equivalent of 8.8 full-time jobs.

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

Guarantee inspection of the project.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-153

Ordinance No. 2023-243  
(Int. No. 278)

**Authorizing an agreement relating to the Seneca Avenue Reconstruction 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 CHA Consulting, Inc. to provide engineering design and construction administration services for the Seneca Avenue (Norton Street to East Ridge Road) Reconstruction Project (Project). The maximum compensation for the agreement shall be \$800,000, which shall be funded in the amounts of \$444,000 from 2019-20 Cash Capital, \$25,000 from 2020-21 Cash Capital, \$195,000 from 2021-22 Cash Capital, and \$136,000 from 2022-23 Cash Capital. The term of the agreement shall continue until three months after completion of the two-year guarantee inspection of the Project.

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. 2023-244  
Re: Consolidated Funding Applications for 2023-24

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Areas: Reinforcing Strong Neighborhoods; Sustaining Green & Active Systems; Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to the 2023-24 New York State Consolidated Funding Application (CFA) process.

This legislation will:

1. Authorize the City's applications for over \$2.7 million in New York State funding through the CFA process; and
2. Authorize any necessary agreements with the State for the receipt of funding.

As part of New York's efforts to improve the business climate and expand economic growth, the CFA was created to support the Regional Economic Development Council (REDC) Initiative. The CFA streamlined and expedited the grant application process, marking a shift in the way state resources are

allocated. The CFA allows applicants to access multiple state funding sources through a single application.

This year, there are programs available through 10 state agencies for the REDC Initiative, including Empire State Development; NYS Canal Corporation; NYS Energy Research and Development Authority; Homes and Community Renewal; New York Power Authority; Office of Parks, Recreation and Historic Preservation; NYS Department of Agriculture and Markets; and Department of State.

City Applications

In spring 2023, an interdepartmental team of City staff worked to review CFA availability as it related to each department and create a citywide CFA application plan. Projects recommended for City submissions were based on the current stage of project development, ability to complete the projects within the timeframes established by the funding agency, and the ability to obtain matching funds through the City’s Capital Improvement Program.

If State funding is awarded, it is anticipated that any local match amounts not already allocated will be requested through the Capital Improvement Program.

Applications are due by July 28, 2023. The City of Rochester intends to submit up to six applications for the projects listed below:

<b>2023 City Applications for CFA</b>			
<b>Project</b>	<b>Total Project Cost</b>	<b>State Request</b>	<b>Local Match</b>
Maplewood Nature Center Site Enhancements	\$1,400,000	\$975,000	\$350,000
Genesee River Debris Mitigation Assessment	\$250,000	\$187,500	\$62,500
Martin Luther King Jr. Memorial Park – Phase 4 Improvements	\$300,000	\$225,000	\$75,000
High Falls Triphammer Forge Critical Repairs - Phase 2	\$670,000	\$500,000	\$170,000
Mt. Hope Cemetery 1912 Chapel Historic Preservation	\$500,000	\$375,000	\$125,000
Water Meter Replacement Program	\$630,000	\$472,000	\$157,600

Project descriptions are provided in the attached summary.

Respectfully submitted,  
 Malik D. Evans  
 Mayor

Attachment No. AW-154

Ordinance No. 2023-244  
 (Int. No. 279)

**Authorizing Consolidated Funding Grant applications and agreements**

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

Section 1. The Mayor is hereby authorized to submit applications to, and enter into agreements with, New York State for funding through the 2023-24 New York State Consolidated Funding Application process for the following projects:

<b>Project</b>	<b>Total Cost</b>	<b>State Request</b>	<b>Local Match</b>
Maplewood Nature Center Site Enhancements	\$1,400,000	\$975,000	\$350,000
Genesee River Debris Mitigation Assessment	\$250,000	\$187,500	\$62,500
Martin Luther King Jr. Memorial Park – Phase 4 Improvements	\$300,000	\$225,000	\$75,000
High Falls Triphammer Forge Critical Repairs - Phase 2	\$670,000	\$500,000	\$170,000
Mt. Hope Cemetery 1912 Chapel Historic Preservation	\$500,000	\$375,000	\$125,000
Water Meter Replacement Program	\$630,000	\$472,000	\$157,600

Section 2. City match funding shall be provided through Budget funds already allocated for these project purposes, or through the Capital Improvement Plan.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-245  
Re: Agreement – United States Marshals Service – Fueling of Vehicles

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation authorizing an agreement with the United States Marshals Service for the fueling of vehicles. The Marshals Service will reimburse the City for the actual cost of the fuel and pay an administrative and service charge of \$0.18 per gallon. The term of this agreement will be five (5) years. The City of Rochester has provided fuel to the United States Marshals since the agreement passed on June 19, 2013, under Ordinance No. 2013-193. The most recent agreement was passed June 19, 2018, under Ordinance Number No. 2018-202.

The City estimates future annual reimbursement of \$15,000-\$20,000 for fuel provided under this agreement.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-245  
(Int. No. 280)

**Authorizing an agreement for the fueling of vehicles**

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

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

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-246  
Re: Solid Waste Motor Equipment Bonding

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the issuance of \$4,500,000 in bonds and appropriating the proceeds thereof to finance the purchase of nine automated Solid Waste collection vehicles and one automated Recycling collection vehicle (\$4,100,000), and plow frames for the vehicles (\$400,000). These bonds will be funded by the Refuse Fund (\$4,100,000) and the Local Works Fund (\$400,000).

The Department of Environmental Services periodically replaces collection vehicles based upon a combination of use and age. The 10 sideload packers being replaced are first line vehicles that operate out of the Solid Waste Division located at 210 Colfax Street. The sideload packers are between 6 and 8 years old. There is a two-year delivery lead time. Sideload packers are used on a daily basis in the collection of refuse and recycling material set out at the curb by residents. Plow frames will be attached to the vehicles to allow the Solid Waste Division to support the Special Services Division during snow service events. Upon replacement, the existing packers will replace reserve vehicles that are currently 14 years old and eligible for disposal through the Purchasing Bureau's surplus process.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-246  
(Int. No. 281)

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$4,500,000 Bonds of said City to finance the acquisition of nine automated solid waste collection vehicles, one automated recycling collection vehicle and plow frames to be attached to the foregoing ten vehicles**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the acquisition of nine automated solid waste collection vehicles, one automated recycling collection vehicle and plow frames to be attached to the foregoing collection vehicles, all to be garaged at 210 Colfax Street, for use in the City's solid waste collection system and to provide plowing services during snow events (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,500,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$4,500,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$4,500,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$4,500,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 28 of the Law, is fifteen (15) years.

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

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

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

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

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

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-247  
Re: Special Services Motor Equipment Bonding

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the issuance of \$2,200,000 in bonds and appropriating the proceeds thereof to finance the purchase of Special Services vehicles. These bonds will be funded by the Local Works Fund.

The Department of Environmental Services periodically replaces Special Services vehicles based upon a combination of use and age. The following vehicles being replaced are first line vehicles that operate out of the Special Services Division located at 245 Mt. Read Blvd: five sweepers (6 to 9 years old); two patch trucks (10 years old); two loaders (14 years old). There is a two-year delivery lead time. Sweepers are used to sweep and clean the residential and arterial streets. Patch trucks are used for utility cut restoration, street surface patching and chip seal preparation. Loaders are used for snow and ice control on the City's arterial streets. Upon replacement, the existing vehicles will replace reserve vehicles that are currently 9 to 16 years old and eligible for disposal through the Purchasing Bureau's surplus process.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-247  
(Int. No. 282)

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,200,000 Bonds of said City to finance the acquisition of five sweeper vehicles, two patch trucks and two loaders**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the acquisition of five sweeper vehicles, two patch trucks and two loaders to be garaged at the Special Services Division facility at 245 Mt. Read Boulevard and used for the purposes of cleaning, patching, chip sealing, and snow and ice removal on City streets (the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,200,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,200,000 bonds of the City to finance said appropriation and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$2,200,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$2,200,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 28 of the Law, is fifteen (15) years.

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

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

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

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

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

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-248

Ordinance No. 2023-249

Re: Grant Application – 2023-24 Water Main Cleaning & Lining and Lead Service Line Replacement Project

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the New York State Water Infrastructure Improvement Act (NYS WIIA). This legislation will:

1. Authorize the Mayor to apply to New York State for grants under the State Fiscal Year 2023- 24 NYS WIIA.
2. Authorize any necessary agreements with New York State for the receipt of funding.
3. Authorize the issuance of bonds totaling \$3,333,000 and appropriating the proceeds thereof to fund the 2023-24 Water Main Cleaning & Lining and Lead Service Line Replacement Project.
4. Appropriate \$5,000,000 in anticipated reimbursements from the NYS WIIA grant for the Lead Service Line Replacement project to finance the construction of the project, if awarded.

The City is eligible to receive up to \$5,000,000 from NYS through the State Fiscal Year 2023-2024 WIIA program. This program funds water quality infrastructure projects that focus on improving water quality and protecting public health. The actual amount awarded will depend on the actual amount of the project but cannot exceed 60% of the cost of the project. The City is required to match at least 40% of the project cost.

Grant applications must be submitted by July 28, 2023 to be considered for funding during the State Fiscal Year 2023-2024.

The WIIA funds, if granted, shall be used to fund a portion of the Water Main Cleaning & Lining and Lead Service Line Replacement Project. It is estimated that 28,700 linear feet of water mains will be rehabilitated and 879 identified outside lead services will be replaced along with any inside lead services found.

The total cost of this project is estimated to be \$8,333,000, a State funding request of \$5,000,000 and a City match of \$3,333,000.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-248  
(Int. No. 283)

**Authorizing the 2023-24 Water Main Cleaning & Lining and Lead Service Line Replacement Project**

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

Section 1. The Mayor is hereby authorized to submit an application to the New York State Environmental Facilities Corporation (EFC) to obtain a grant of up to \$5,000,000 to fund the 2023-24 Water Main Cleaning & Lining and Lead Service Line Replacement Project (the Project) from New York State Water Infrastructure Improvement Act (WIIA) funds allocated for the 2023-24 State Fiscal Year.

Section 2. The Mayor is hereby authorized to enter into an agreement with the New York State Environmental Facilities Corporation (EFC) to participate in, administer and fund the Project. The Project shall be funded from the State WIIA funds awarded in response to the application authorized in Section 1, which are hereby appropriated for that purpose, and the proceeds of City bonds authorized as a local match in a concurrent bond ordinance. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. The Mayor is hereby authorized to execute and bind the City to the terms of the application and agreement authorized herein. The City's Director of Water or his designee is hereby authorized to disburse funds from the WIIA grant and from the local match to implement the Project.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2023-249  
(Int. No. 284)

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$3,333,000 Bonds of said City to finance a portion of the costs of the 2023-24 Water Main Cleaning & Lining and Lead Service Line Replacement Project**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), hereby authorizes the issuance of \$3,333,000 bonds of the City to finance a portion of the costs of the 2023-24 Water Main Cleaning & Lining and Lead Service Line Replacement Project comprised of cleaning and lining approximately 28,004 linear feet of water mains and replacing approximately 895 lead water service lines with non-lead containing pipes and joints along the city street segments listed on the attached Schedule A ("Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$8,333,000. The plan of financing includes the issuance of \$3,333,000 bonds of the City, which amount is hereby appropriated therefor, \$5,000,000 in anticipated NYS Water Infrastructure Improvement Act grant funds appropriated to the Project in a concurrent ordinance and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$3,333,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$3,333,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

**Exhibit A**  
**Project Street List**

The Project entails Cleaning and Lining water mains (CL), Lead Service line replacements (Lead), or both elements (Both) along the following street segments:

<b>Street</b>	<b>From</b>	<b>To</b>	<b>Work Type</b>
Austin St	Lyell Ave	Otis St	Lead
Avery St	Lyell Ave	Otis St	Lead
Bauer St	Aab St	Sherman St	Both
Burrows St	Lyell Ave	Clyde St	Lead
Cameron St	Lyell Ave	Otis St	Both
Culver Rd	565 Culver Rd	Atlantic Ave	CL
Culver Rd	315 Culver Rd	University Ave	CL
Culver Rd	145 Culver Rd	83 Culver Rd	CL
Culver Rd	83 Culver Rd	Monroe Ave	CL
Curtis St	Curlew St	Sherman St	Both
Delmar St	Otis St	Villa St	Both
Dix St	Otis St	Villa St	Both
Elsdon St	Cameron St	Sherman St	Both
Felix St	Sherman St	No. 47 Felix St	Both
Felix St	No. 47 Felix St	Dewey Ave	Lead
Karnes St	Otis St	Willow St	Both
Laurel St	Myrtle St	Cameron St	Both
Lois St	Rogers Ave	Warner St	Both
Lois St	Rutter St	Railroad	CL
McNaughton St	Lyell Ave	Emerson St	Lead
Michigan St	Curlew St	Sherman St	Both
Myrtle Hill Pk	Cameron St	Sherman St	Both
Myrtle St	Lyell Ave	Otis St	Lead
Norris Dr	Cobbs Hill Dr	S. Winton Rd	CL
Nunda Blvd	S. Winton Rd	Cobbs Hill Dr	CL
Orlando St	Myrtle St	Cameron St	Both
Otis St	Burrows St	Karnes St	Lead
Prince St	University Ave	College Ave	CL
Rockview Ter	Waldo St	Otis St	Both
Rogers Ave	Otis St	Lois St	Both
Rutter St	Lyell Ave	Haloid St	Both
S. Goodman St	170' south of Highland Pkwy	Highland Pkwy	CL
Santee St	Michigan St	Emerson St	Both
Santee St	Emerson St	End	Lead
Sterling St	Otis St	Villa St	Both
Sunset St	Otis St	Bergen St	CL
Sunset St	Lyell Ave	Otis St	Both
Villa St	Dix St	Sterling St	Both

Villa St	Sterling St	Delmar St	Lead
Villa St	Delmar St	Santee St	Both
Warner St	Lyell Ave	Otis St	Both
Wolff St	Warner St	Rogers Ave	Both

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-250

Ordinance No. 2023-251

Re: NYS Water Infrastructure Improvement Act (WIIA) 2023 Lead Service Line Replacement Project – Grant No.18998 Authorization, Bond Authorization and Funding Appropriation & Resolution

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the New York State (NYS) Water Infrastructure Improvement (WIIA) 2023 Lead Service Line Replacement project. The legislation will:

1. Authorize the Mayor to enter into an agreement with New York State Environmental Facilities Corporation (EFC) to participate in and administer the project as part of the NYS WIIA grant for the 2023 Lead Service Line Replacement Project.
2. Authorize the issuance of bonds totaling \$2,000,000 and appropriating the proceeds thereof to fund the Lead Service Line Replacement project.
3. Appropriate \$3,000,000 in anticipated reimbursements from the NYS WIIA grant for the Lead Service Line Replacement project to finance the construction of the project.

Council previously authorized the Mayor to submit applications to New York State for grants under the WIIA program in Ordinance No. 2021-365.

Grant applications were submitted on November 22, 2021. The notice of award was received April 25, 2022.

The funds provided will be used to replace residential lead service lines in an effort to reduce the amount of lead in drinking water. It is anticipated that 884 services will be replaced.

The total cost of this project is estimated to be \$5,100,000. The total City funding is \$2,100,000. The balance of funding will be \$100,000 from 2023-2024 Cash Capital.

The locations for this work have been identified by selecting streets that are scheduled for milling and resurfacing. Work is expected to be performed during the summer and fall of 2023 and winter of 2024. Project administration and construction inspection will be performed by Water Bureau staff.

This project results in the creation and/or retention of the equivalent of 55 full-time jobs.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-250  
(Int. No. 285)

**Authorizing an agreement and appropriation for the ~~2021-22~~ NYS Water Infrastructure Improvement Act funded 2023 Lead Service Line Replacement Project, as amended**

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 Environmental Facilities Corporation (EFC) to participate in and administer the ~~2021-22~~ NYS Water Infrastructure Improvement Act (WIIA) funded 2023 Lead Service Line Replacement Project (the Project). The agreement may contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 2. The Council hereby appropriates to the Project ~~\$2,000,000~~ \$3,000,000 in anticipated reimbursements from New York State of Fiscal Year 2021-22 WIIA funds that have been awarded to the Project in response to the City's application for WIIA funding authorized in Ordinance No. 2021-365. The WIIA award funds shall be supplemented by a local match of ~~\$3,100,000~~ \$2,100,000, comprised of \$2,000,000 in proceeds from the City bonds authorized in a concurrent bond ordinance and \$100,000 from 2023-24 Cash Capital.

Section 3. The Mayor is hereby authorized to execute and bind the City to the terms of the agreement and the funding arrangements authorized herein. The City's Director of Water or his designee is hereby authorized to disburse funds from the WIIA grant and from the local match to implement the Project.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Ordinance No. 2023-251  
(Int. No. 286)

**Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$2,000,000 Bonds of said City to finance a portion of the costs of the ~~2021-22~~ NYS Water Infrastructure Improvement Act funded 2023 Lead Service Line Replacement Project, as amended**

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

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), hereby authorizes the issuance of \$2,000,000 bonds of the City to finance a portion of the costs of the ~~2021-22~~ NYS Water Infrastructure Improvement Act funded 2023 Lead Service Line Replacement Project comprised of replacing approximately 775 residential lead water service lines with non-lead containing pipes and joints along the city street segments listed on the attached Schedule A ("Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$5,100,000. The plan of financing includes the issuance of \$2,000,000 bonds of the City, which amount is hereby appropriated therefor, \$3,000,000 in anticipated NYS Water Infrastructure Improvement Act grant funds appropriated to the Project in a concurrent ordinance, \$100,000 from 2023-24 Cash Capital and the levy and collection of taxes on all

the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

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

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

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

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

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

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

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

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

## Exhibit A

### Project Street List

<b>Street</b>	<b>From</b>	<b>To</b>
Aberthaw Rd	Dead End	Hillside Ave
Avon Pl	Fountain St	Field St
Avondale Pk	Monroe Ave	Hinsdale St
Belmont St	Monroe Ave	Hinsdale St
Bengal Ter	Dead End	Hillside Ave
Benton St	S. Clinton Ave	Field St
Berwick Rd	Merchants Rd	Dead End
Bloomfield Pl	Henrietta St	I-490
Castlebar Rd	Cobbs Hill Dr	S. Winton Rd
Cobbs Hill Dr	Nunda Blvd	Beckwith Ter
Cobbs Hill Dr	Highland Ave	San Gabriel Dr
Colebourne Rd	Fairfax Rd	N. Winton Rd
Coleridge Rd	Marsden Rd	Dead End
Dalkeith Rd	Fairfax Rd	N. Winton Rd
Elm Dr	Merchants Rd	Dead End
Elmcroft Rd	N. Winton Rd	Dead End
Fairfax Rd	Merchants Rd	Colebourne
Fountain St	S. Clinton Ave	Avon Pl
Glen Pkwy	N. Winton Rd	Coleridge Rd
Gould St	Highland Ave	Dead End
Hartsen St	Hillside Ave	Norris Dr
Hinsdale St	Rosedale St	Werner Pk
Hoyt Pl	S. Winton St	Werner Pk
Jacques St	S. Clinton Av	Henrietta St
Lanark Cres	Merchants Rd	Dead End
Marsden Rd	Winstead Rd	Coleridge Rd
Merwin Ave	Fairfax Rd	N. Winton Rd
Mildorf St	Merchants Rd	Farmington Rd
Nunda Blvd	S. Winton Rd	Hillside Ave
Nunda Blvd	Dead End	Cobbs Hill Dr
Nunda Blvd	Cobbs Hill Dr	S. Winton Rd
Nunda Blvd	Cobbs Hill Dr	S. Winton Rd
Nursery St	Hillside Ave	Norris Dr
Pappert Pl	Benton St	Henrietta St
Pembroke St	Nelson St	Field St
Pinnard St	Bengal Ter	Cobbs Hill Dr
Presque St	Merchants Rd	City Limit
Rosedale St	Monroe Ave	Hinsdale St
San Gabriel Dr	Cobbs Hill Dr	Hillside Ave
Suter Ter	Monroe Ave	Luzerne St
Sycamore St	Fountain St	Field St
Tryon Pk	I-590	Dead End
Werner Pk	Monroe Ave	Hinsdale St
Wilmington St	Beaufort St	Field St
Wilsonia Rd	Fairfax Rd	N. Winton Rd

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-252  
Re: Amendatory Agreements – New York State Department of Corrections and Community Supervision (DOCCS) / Center for Employment Opportunities, Inc. (CEO) for Transitional Job Training and Placement Program

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation authorizing amendatory agreements with the New York State Department of Corrections and Community Supervision (DOCCS) and the Center for Employment Opportunities (CEO) in continuing partnership with the City for the transitional job training and placement program.

The original agreements authorized in September 2018 by Ordinance No. 2018-301, established maximum annual compensation for a term of one year with five one-year extension options. The compensation for the first year was \$141,500 for 2018-19 and the extension period compensation, if exercised, included \$145,800 for 2019-2020, \$150,200 for 2020-2021, \$154,700 for 2021-2022, \$159,400 for 2022-2023 and \$164,200 for 2023-2024. Ordinance No. 2022-17 increased maximum compensation by \$150,000 for a maximum total of \$309,400 for 2022-2023.

This amendment will increase maximum compensation by \$164,200 for a total of \$328,400 for 2023-2024. The term of the agreements will remain the same, ultimately expiring on June 30, 2024 if the last extension period is exercised. The cost of the increase for 2023-2024 will be funded from the 2023-2024 Budget of the Mayor's Office.

The City has a primary agreement with DOCCS and a secondary agreement with CEO as DOCCS's subcontractor to provide a work crew under the supervision of DOCCS. While DOCCS requires the City to have an agreement with them to provide the job training program through CEO, DOCCS also requires the City to enter into an agreement with CEO with respect to the latter's commitment to adhere to the City's living wage requirements and for CEO to provide insurance requirements commensurate with any agreement into which the City enters. The terms and conditions of engagement of CEO to perform work in the City are set forth in the DOCCS agreement.

CEO provides employment services to men and women with recent criminal convictions through structured programs that help participants regain the skills needed to successful transitions to stable, productive lives. Through administration of the program, DOCCS, through its Managing Agent, CEO, supplies laborers to perform hand sweeping and litter collection as weather permits, snow and ice control during the winter months, and other work tasks as determined by the City. CEO is paid directly by DOCCS and the City reimburses DOCCS for the payments they make on the City's behalf.

Funding for 2022-2023 allows for two work crews comprised of twelve people for 6.5 hours per day Monday through Thursday, excluding State holidays. Funding for 2023-2024 from the Mayor's Office will allow for the partnership to continue to operate with two work crews, continuing to help an additional 25 residents who are under criminal justice supervision transition to employment.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-252  
(Int. No. 287)

**Authorizing amendatory agreements related to the Transitional Job Training and Placement Project**

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

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with the New York State Department of Corrections and Community Supervision (DOCCS) to provide additional programming related to the Transitional Job Training and Placement Program (Program). The amendatory agreement shall amend the existing agreement, which was authorized by Ordinance No. 2018-301 and amended by Ordinance No. 2022-17, to increase the maximum compensation for the 2023-24 extension term by \$164,200 to a new total of \$328,400. The amendatory compensation shall be funded from the 2023-24 Budget of the Office of the Mayor.

Section 2. The Mayor is hereby authorized to enter into an amendatory agreement with the Center for Employment Opportunities, Inc. to continue to provide work crews under the supervision of DOCCS for the Program agreement during the 2023-24 extension term for the amendatory compensation that has been authorized in Section 1 herein. The agreement shall run concurrently with the term of the DOCCS agreement and contain language regarding the City's Living Wage and insurance requirements.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Patterson  
July 18, 2023

To the Council:

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

- Int. No. 288 Authorizing the sale of real estate
- Int. No. 289 Authorizing acceptance of easements for 40 and 42 Commercial Street
- Int. No. 291 Authorizing a loan agreement and payment in lieu of taxes agreement for the Parliament-Fairfield Affordable Housing Rehabilitation Project
- Int. No. 292 Authorizing an assignment of a Section 108 loan relating to College Town
- Int. No. 311 Authorizing the acceptance of the Rochester Urban Renewal Agency's donation of a portion of 151 Mt. Hope Avenue to provide access to Erie Harbor Enhancement Phase II improvements in the Genesee Gateway Park

The **NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE** recommends the following entitled legislation to be **HELD** in Committee

- Int. No. 290 Authorizing the acquisition of 5-7 Taylor Street
- Int. No. 293 Authorizing the sale of the Court Street Parking Garage
- Int. No. 294 Authorizing the sale of the Washington Square Parking Garage
- Int. No. 295 Authorizing the sale of the East End Parking Garage
- Int. No. 296 Authorizing the sale of the Mortimer Street Parking Garage

Respectfully submitted,  
Michael A. Patterson  
LaShay D. Harris  
Kimberly Smith  
Mary Lupien  
Miguel A. Meléndez, Jr.  
**NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE**

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-253  
Re: Sale of Real Estate

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Strong Neighborhoods

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

The first property, a portion of 22-22.5 Fulton Avenue at the south lot line, is listed on the attached spreadsheet under the heading, I. Negotiated Sale - Vacant Land and will be sold to Wigoberto Perez of 68 Walbar Street, Rochester, New York. The additional twenty feet of frontage will allow the purchaser to create a parcel of a size commensurate with the neighboring and facing properties. The second property, 815-819 South Plymouth Avenue will be sold to TW Jones Development (Tracy W. Jones, Principal) of 683 Gillett Road, Spencerport, New York. The purchaser is the owner of an existing business on the adjacent parcel that is preparing for expansion. The sale price for this commercial vacant lot was established by an independent appraisal prepared by Bruckner, Tillett, Rossi, Cahill & Associates in February 2023. The parcels will be combined with the adjoining owners' primary parcels.

The remaining six properties are listed on the attached spreadsheet under the heading, II. Negotiated Sale - Unbuildable Vacant Land. The parcel at 21 A Place will be sold to Lynda D. Byrd, 15 A Place, Rochester, New York; 532 Brown Street will be sold to Lee Ron Johnson and Bennie Johnson, 536 Brown Street, Rochester, New York; 16 Churchlea Place will be sold to Jimoy Wickham, 85 Grafton Street, Rochester, New York; 23.5 Henry Street will be sold to William J. Fenske, 23 Henry Street, Rochester, New York; 779 Jefferson Avenue will be sold to Miranda Parchment, 783 Jefferson Avenue,

Rochester, New York and 53 Treyer St will be sold to Celly Vanessa Pacheco, 55 Treyer Street, Rochester, New York. The parcels are each being sold for \$1.00 (as per City policy) and will be combined with the primary parcels owned by the identified adjoining owners.

The first year projected tax revenue for these properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$3,253.

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- 157

Ordinance No. 2023-253  
(Int. No. 288)

### **Authorizing the sale of real estate**

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

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

<b>Address</b>	<b>S.B.L. No.</b>	<b>Lot Size</b>	<b>Price</b>	<b>Purchaser</b>
Portion of 22-22.5 Fulton Ave	105.60-1-24.001	2,640 sqft.	\$50	Wigoberto Perez
815-819 S. Plymouth Ave	121.69-2-45.001	11,868 sqft.	\$9,400	TW Jones Development

The portion of 22-22.5 Fulton Avenue to be conveyed is described and bounded as follows:

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 46, 20,000 Acre Tract, and being part of Lots 29 & 30, Section 8C9 of the Jones Tract, as filed in the Monroe County Clerk's Office in Liber 3 of Maps, Page 137 and being more particularly bounded and described as follows: Beginning at a point on the easterly ROW line of Fulton Avenue (60' ROW) at the southwest corner of said Lot 30, said point being the Point or Place of Beginning; thence

- 1) Northerly, along said ROW line, a distance of 3.0 feet to a point; thence
- 2) Easterly, parallel with the south line of said Lot 30, a distance of 132.0 feet to the east line of said Lot 30; thence
- 3) Southerly, along the east line of said Lots 30 & 29, a distance of 26.0 feet to a point; thence
- 4) Westerly, parallel with said south line of Lot 30, a distance of 62.0 feet to a point; thence
- 5) Northerly, parallel with said Fulton Avenue, a distance of 6.0 feet to a point; thence
- 6) Westerly, parallel with said south line of Lot 30, a distance of 70.0 feet to a point on said easterly ROW line of Fulton Avenue; thence
- 7) Northerly, along said ROW line, a distance of 17.0 feet to the said southwest corner of Lot 30, being the Point or Place of Beginning.

Hereby intending to describe a parcel of land fronting 20.0 feet on Fulton Avenue and being 132.0 feet in depth to Dempsey Place (16' ROW), all as shown on said subdivision.

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

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

<b>Address</b>	<b>S.B.L. No.</b>	<b>Lot Size</b>	<b>Purchaser</b>
21 A Pl	135.24-2-16	3,960 sqft.	Linda D. Byrd
532 Brown St	120.35-2-22.001	2,097 sqft.	Lee Ron Johnson and Bennie Johnson
16 Churchlea Pl	120.43-2-70	2,062 sqft.	Jimoy Wickham
23.5 Henry St	106.40-2-22.002	153 sqft.	William J. Fenske
779 Jefferson Av	120.76-3-6	3,400 sqft.	Miranda Parchment
53 Treyer St	106.30-1-6	3,906 sqft.	Celly Vanessa Pacheco

Section 3. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-254  
Re: Accepting Easements – 40 and 42 Commercial Street

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing the acceptance of two permanent easements on 40 Commercial Street from Commercial Falls, LLC upon the closing of the sale of 40 and 42 Commercial Street which was authorized by Ordinance No. 2021-391 as amended by Ordinance No. 2022-332. These include a 20' wide access easement to allow the City access to the overlook at High Falls for purposes of maintenance, and a 20' wide water main easement for maintenance of an existing water main. Corresponding easements already exist on 42 Commercial Street. The granting of these easements by the Purchaser to the City was a requirement of the sale.

The consideration for these easements was already included in the appraised value and contracted price of \$377,000 for the sale of 40 and 42 Commercial Street.

Respectfully submitted,  
Malik D. Evans  
Mayor

**Authorizing acceptance of easements for 40 and 42 Commercial Street**

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

Section 1. The Council hereby approves the acceptance of permanent easements on 40 Commercial Street from Commercial Falls, LLC upon the closing of the sale of 40 and 42 Commercial Street pursuant to Ordinance No. 2021-391 and amended by Ordinance 2022-332, for access to and maintenance of the overlook at High Falls, and for access to and maintenance of an existing water main, as follows:

**Access and Maintenance Easement**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 48, Township 13, Range 7 and being more particularly bounded and described as follows: Commencing at the southwest corner of former Commercial Street, as abandoned by Ordinance No. 2003-146; thence

A) N 27° 13' 45" W, along the west line of said abandonment, a distance of 41.63 feet to the Point or Place of Beginning; thence

1) N 27° 13' 45" W, continuing along said west line, a distance of 26.42 feet to a point; thence

2) S 89° 37' 33" E, a distance of 53.08 feet to a point; thence

3) N 63° 48' 37" E, a distance of 167.77 feet to a point; thence

4) N 26° 12' 40" W, a distance of 127.83 feet to a point; thence

5) N 63° 47' 20" E, a distance of 20.00 feet to a point; thence

6) S 26° 12' 40" E, a distance of 147.83 feet to a point; thence

7) S 63° 48' 37" W, a distance of 105.62 feet to the east line of said Commercial Street abandonment; thence

8) N 27° 13' 45" W, along said east line, a distance of 3.03 feet to a point; thence

9) S 62° 46' 15" W, a distance of 89.65 feet to a point; thence

10) N 89° 37' 33" W, a distance of 36.31 feet to a point; thence

11) S 61° 09' 08" W, a distance of 6.99 feet to the said west line of former Commercial Street, being the Point or Place of Beginning.

Hereby intending to describe a 20' wide access easement, containing 7,180 square feet, all as shown on a map entitled "Proposed 20' Wide Access Easement", dated November 14, 2018, prepared by John D Metzger, L.S., City Surveyor.

**Water Main Easement**

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 48, Township 13, Range 7 and being more particularly bounded and described as follows: Commencing at the southwest corner of former Commercial Street, as abandoned by Ordinance No. 2003-146; thence

1) N 27° 13' 45" W, along the west line of said abandonment, a distance of 52.62 feet to the Point or Place of Beginning; thence

2) N 27° 13' 45" W, continuing along said west line, a distance of 21.02 feet to a point; thence

3) N 44° 48' 54" E, a distance of 256.83 feet to a point; thence

4) N 59° 33' 32" E, a distance of 34.75 feet to a point; thence

- 5) S 30° 26' 28" E, a distance of 20.00 feet to a point; thence
- 6) S 59° 33' 32" W, a distance of 32.16 feet to a point; thence
- 7) S 44° 48' 54" W, a distance of 260.72 feet to the said west line of former Commercial Street, being the Point or Place of Beginning.

Hereby intending to describe a 20' wide watermain easement, containing 5845 square feet, all as shown on a map entitled "Proposed 20' Wide Watermain Easement", dated November 14, 2018, prepared by John D Metzger, L.S., City Surveyor.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.  
 TO THE COUNCIL  
 Ladies and Gentlemen:

Ordinance No. 2023-255

Re: Agreement – Parliament - Fairfield Affordable Housing Project

Council Priority: Rebuilding and Strengthening Neighborhood Housing

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the Parliament-Fairfield rehabilitation project (the "Project"), an affordable rental housing development project being undertaken by Rochester Housing Authority (RHA) (Shawn Burr, Executive Director, 675 West Main Street, Rochester) in the 14621 and Plymouth-Exchange neighborhoods.

This legislation will:

- 1) Authorize a loan agreement for a \$750,000 construction/permanent loan with RHA or an affiliated partnership or housing development fund corporation to be formed by RHA, and appropriate the same amount from the Affordable Housing Fund allocation of the 2022-23 Housing Development Fund to fund the loan. The loan will serve initially as a 2% construction loan payable annually. The permanent loan includes a 40-year term, and 2% interest-only, cash flow dependent payments due annually, with the outstanding principal balance and any accrued interest due at the end of the term.
- 2) Authorize property tax exemptions and payment-in-lieu of taxes agreements for the Project, which will provide a 40-year exemption for an annual in-lieu payment equal to 10% of the project shelter rents (gross rents minus utility costs). The sites, currently owned by RHA, are listed here:

Street #	Street Name	Tax Number/SBL	Current Owner
30	Luther Circle	135.28-2-58.001	RHA
35	Luther Circle	135.28-2-62	RHA
65	Luther Circle	135.28-2-57.001	RHA
68	Luther Circle	135.28-2-61.001	RHA
2120	St. Paul Street	091.38-1-94	RHA

- 3) Authorize the Mayor to execute such agreements and other documents as may be necessary to effectuate the agreement authorized herein; and
- 4) Authorize the Director of Finance to adjust the interest rate and other terms and conditions of the loan in order to conform to legal and other requirements for the Project.

The Project involves building and/or preserving 103 affordable and workforce housing units at RHA’s Parliament Arms (2120 St. Paul Street) and Fairfield Village (30, 35, 65, and 68 Luther Circle) locations. The Project includes the Rental Assistance Demonstration (RAD) conversion of public housing units to Project-Based Voucher-supported units while still managed by RHA. At Parliament Arms, 44 of the existing 52 units will be rehabilitated, while one building will be demolished and replaced with a 15-unit fully accessible building, adding a total of 7 new units to the site. At Fairfield Village, all 44 units will be rehabilitated. Altogether, the Project will encompass 103 1-, 2-, and 3-bedroom units, including 16 ADA-accessible units, 3 Audio/Visually Impaired-accessible units, and 2 units with both ADA and A/VI accessibility. The Project designs will enhance the existing character of the respective neighborhoods while applying modern technology to achieve energy efficiency, improved accessibility, and sustainable construction. To help meet New York State’s Climate Leadership and Community Protection Act goals, design of both sites incorporate all-electric heating, air conditioning, and hot water systems. The project will receive Clean Energy Initiative funds for both the rehabilitation and new construction portions of the project. The newly constructed building will achieve Enterprise Green Communities 2020 Plus standards. In addition, RHA is committed to providing Wi-Fi to all tenants and will incorporate broadband access at both project sites.

The Parliament-Fairfield project will continue to maintain its units as affordable for a minimum of 40 years. All of the units will receive Project-Based Voucher rental assistance and 92 will be affordable to persons earning up to 50 or 60% of Median Family Income (MFI). To accommodate current resident households, 4 units will remain eligible for those earning up to 80% of MFI and 7 will be unrestricted. However, households with incomes under 50% MFI will be prioritized for vacant units as they become available, and the vast majority of renters occupying the units will remain at or below 30% of MFI.

The Project is consistent with the City of Rochester’s Housing Policy and complements the City’s housing goals by addressing barriers identified by the Rochester-Monroe Anti-Poverty Initiative (RMAPI) and the Housing Quality Task Force in a focused effort. The Project will additionally complement significant development and interest that has occurred over the past decade and is currently underway in these City neighborhoods, and will continue to provide housing for a range of incomes and household types. Funding for the Project includes private equity from the sale of NYS Housing Finance Agency (HFA) 4% Low-Income Housing Tax Credits, Tax-Exempt bonds, and Public Housing Preservation subsidy; Clean Energy Incentives, and RHA contributions. The sources and uses for the Project are summarized below:

<u>Uses</u>		<u>Permanent Sources</u>	
Acquisition	\$7,398,469	Tax Exempt Bonds	\$5,225,000
Hard Costs	\$27,300,000	HFA PHP Loan	\$12,875,000
Soft Costs and Working Capital	\$8,444,683	HFA NCP Loan	\$1,425,000
Development Fee	\$5,305,166	HFA Subsidy	\$406,496
		Accrued Interest	
Contingency	\$2,501,142	City of Rochester	\$750,000
Reserves	\$634,569	RHA Contributions	\$8,446,335
		Clean Energy Incentives	\$1,212,500
		L.P. Equity	\$19,873,855
		Deferred Developer Fee	\$1,369,844
<b>TOTAL</b>	<b>\$51,584,030</b>	<b>TOTAL</b>	<b>\$51,584,030</b>

The PILOT was recommended for approval by the PILOT review committee on May 23, 2023. The Project will include workforce goals of 6.9% women and 20% minority hours worked, as well as an obligation of 30% M/WBE contracts and a goal of 25% city residents working on the Project. The SEQR

review was completed and Negative Declaration issued on January 25, 2023; the National Environmental Policy Act or NEPA review is underway and will be completed prior to entering into any agreements for the project.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-159

Ordinance No. 2023-255  
(Int. No. 291)

**Authorizing a loan agreement and payment in lieu of taxes agreement for the Parliament-Fairfield Affordable Housing Rehabilitation Project**

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

Section 1. The Mayor is hereby authorized to enter into a loan agreement with the with the Rochester Housing Authority (RHA) or an affiliated partnership or housing development fund corporation to be formed by the RHA (collectively, the Developer) for construction and permanent financing of the Parliament-Fairfield Affordable Housing Rehabilitation Project. The loan shall be in the amount of \$750,000, which shall be funded by, and is hereby appropriated for loan principal from, the Affordable Housing Fund project allocation of the 2022-23 Annual Action Plan. The loan agreement shall have a term that extends to 40 years following completion of Project construction. The loan shall function as a 2% construction loan payable annually until construction is complete, whereupon it shall convert to permanent financing with a term of 40 years that is subject to an annual interest rate of 2%. The payment of interest shall be due annually if the Developer has sufficient cash flow and repayment of the loan principal and any unpaid interest shall come due at the end of the loan term. The Mayor is hereby authorized to adjust the loan interest rate and other terms and conditions in order to conform to legal and other requirements for the Project.

Section 2. The Mayor is hereby authorized to enter into a payment in lieu of taxes (PILOT) agreement with the Developer for the following listed parcels listed to effectuate the Project:

<b>Street #</b>	<b>Street Name</b>	<b>Tax Number/SBL</b>	<b>Current Owner</b>
30	Luther Circle	135.28-2-58.001	RHA
35	Luther Circle	135.28-2-62	RHA
65	Luther Circle	135.28-2-57.001	RHA
68	Luther Circle	135.28-2-61.001	RHA
2120	St. Paul Street	091.38-1-94	RHA

This PILOT Agreement shall provide that said parcels shall remain entitled to a real property tax exemption, provided that the Developer makes annual payments in lieu of taxes to the City of Rochester equal in total to no less than 10% of the Project's annual "shelter rent," a phrase which refers to the amount of gross rents less utility costs.

Section 3. The term of the PILOT Agreement shall run for 40 years, provided that said agreement and the associated real property tax exemption shall cease prior to that date if and when the Project is no longer operated for the purpose of providing affordable rental housing in accordance with the conditions for maintaining low-income housing tax credits and financing as well as other legal requirements.

Section 4. The PILOT agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The Mayor is hereby authorized to execute such other agreements and other documents as may be necessary to effectuate the agreements authorized herein.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-256

Re: Assignment of Section 108 Loan for the College Town Development Project

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an assignment of a Section 108 loan previously approved in Ordinance No. 2012-410 which authorized a Department of Housing and Urban Development (“HUD”) Section 108 loan for the College Town Development Project to College Town Rochester, LLC (“CT Rochester”). This legislation will approve an assignment agreement with Meliora Development Company LLC, (Elizabeth A. Milavec, President, 263 Wallis Hall, Rochester, NY 14627), a for-profit entity formed by the University of Rochester, to assume the balance of the HUD 108 loan. New agreements will also be necessary with HUD.

Ordinance No. 2012-410 authorized an appropriation of \$20,000,000 from the HUD Section 108 Loan Fund, as well as the necessary agreements with College Town Rochester, LLC and HUD, for the purpose of developing College Town. The College Town Development Project was undertaken by a joint venture between Fairmount Properties LLC and Gilbane Development Company in 2012 for a mixed-use development fronting on the Mt. Hope Avenue commercial corridor. It included the construction of commercial space, retail space, apartments, open spaces, surface parking, and a parking garage structure with a total development cost of just over \$82,000,000.

Section 108 is a HUD loan guarantee that provides CDBG entitlement communities with a source of financing for economic development, housing rehabilitation, public facilities, and large-scale physical development projects. A local government borrowing funds guaranteed by Section 108 must pledge its current and future CDBG allocations to cover the loan amount as security for the loan and from which to make any loan payments that are in default. The City used \$20,000,000 in Section 108 loan financing in lieu of CDBG funds for the College Town project.

In late 2022, the U of R approached the City with a request to assume the remaining balance of the Section 108 loan from CT Rochester because of its plan to acquire College Town from CT Rochester. The loan balance is \$13,063,000 and it will be the only remaining debt in the project. The U of R will also assume all existing terms of the loan and will continue to pay real property taxes on the same terms as CT Rochester, a for-profit entity.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-160

Ordinance No. 2023-256  
(Int. No. 292)

## **Authorizing an assignment of a Section 108 loan relating to College Town**

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

Section 1. The Mayor is hereby authorized to enter into an agreement to allow College Town Rochester, LLC (CTR) to assign to Meliora Development Company LLC all of CTR's rights, obligations, and duties under a \$20 million loan for the College Town Project authorized by Ordinance No. 2012-410 relating to College Town to. The assignment shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 2. The Mayor is hereby authorized to enter into all necessary documents to effectuate the assignment of United States Department of Housing and Urban Development Section 108 loan assignment as authorized in Section 1 herein. Said documents 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. 2023-257  
Re: Access Acquisition - Erie Harbor Enhancements Phase II Project

Council Priority: Creating and Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Sustaining Green & Active Systems

Transmitted herewith for your approval is legislation related to the Erie Harbor Enhancements Phase II Project, work that is presently underway to provide passive and active recreational improvements to Genesee Gateway Park (EH Enhancements). This legislation will authorize the City of Rochester to accept a donation from the Rochester Urban Renewal Agency (RURA) of an approximately 0.59 acre portion of RURA's ± 1.93 acre property at 151 Mt. Hope Avenue in order to provide access to the EH Enhancements. The donated land will be used to construct a driveway from Mt. Hope Avenue, a drop-off loop and approximately twenty parking spaces for visitors to access the EH Enhancements along the Genesee River (EH Access). The EH Enhancements and the proposed EH Access lay-out are depicted on the attached maps.

The EH Access will complement the EH Enhancements, which are designed to provide sightlines and access to the waterfront and the Genesee Riverway Trail system, enhance public recreational use of the parkland, and provide direct public recreational use of the Genesee River for non-motorized hand-carried watercraft at the new boat launch that is adjacent to the proposed EH Access.

The City recently received an additional grant through the NYS Department of State (NYSDOS) Local Waterfront Revitalization Program, which will fund the design and construction administration of the new EH Access and related infrastructure to support the car-top boat launch and park improvements currently under construction.

Because of the availability of the NYSDOS waterfront revitalization grant and the presence of contractors already working on the EH Enhancements, the construction of the EH Access improvements can be commenced and completed this summer.

Respectfully submitted,  
Malik D. Evans  
Mayor

**Authorizing the acceptance of the Rochester Urban Renewal Agency's donation of a portion of 151 Mt. Hope Avenue to provide access to Erie Harbor Enhancement Phase II improvements in the Genesee Gateway Park**

WHEREAS, this ordinance pertains to the redevelopment of various parcels within the boundaries of the Genesee Gateway Urban Renewal Project that was established by the City in 1970, including improvements to the Genesee Gateway Park presently underway as part of the Erie Harbor Enhancement Phase II project (Improvements) and the proposed donation of land owned by the Rochester Urban Renewal Agency (Agency) to provide public access to such Improvements;

WHEREAS, the Agency acquired an approximately 1.93 acre land parcel known as 151 Mt. Hope Avenue and other adjacent properties in furtherance of the Urban Renewal Plan for the Genesee Gateway Urban Renewal Project adopted in 1970 by Ordinance No. 70-67 which encompasses the east side of the Genesee River between the Douglass-Anthony and Ford Street bridges and extending eastward to Mt. Hope Avenue (GG UR Plan);

WHEREAS, along with the development and redevelopment of mixed-income housing along the Genesee Gateway now known as the Erie Harbor and Hamilton Apartments, a key objective of the GG UR Plan is the "beautification of the Genesee River and provision of a pedestrian walkway and public uses along its bank" which was advanced by previous initiatives including the rehabilitation of the East River Wall (1999) and Phase I of the Erie Harbor Enhancements Project (2014);

WHEREAS, the Erie Harbor Phase II Improvements presently underway are designed to provide sightlines and access to the waterfront and the Genesee Riverway Trail system, enhance public recreational use of the parkland, and provide direct public recreational use of the Genesee River for non-motorized hand-carried watercraft at the new boat launch, all purposes that are consistent with the GG UR Plan;

WHEREAS, the Agency desires to donate, and the City desires to accept, the conveyance of an approximately 0.59 acre portion of the Agency's ±1.93-acre property located at 151 Mt. Hope Avenue in order to provide public access to the Improvements to Genesee Gateway Park, by the construction of a driveway from Mt. Hope Avenue, a drop-off loop for Park visitors and their hand-carried boats, and approximately twenty parking spaces (Access);

WHEREAS, the City recently received an additional grant through the NYS Department of State (NYS DOS) Local Waterfront Revitalization Program to fund the design and construction administration of the new Access and related infrastructure to support the car-top boat launch and Park improvements currently under construction;

WHEREAS, the provision of the Access to the Genesee Gateway Park and the improvements thereto would be consistent with the purposes and objectives of the GG UR Plan, particularly with regard to the Plan's call for "construction of public facilities needed to provide adequate service to the project area, including the installation or improvement of streets [and] pedestrian right-of-way."

WHEREAS, in accordance with Section 21-1B of the Municipal Code, the Commissioner of Neighborhood and Business Development has determined that the City's acceptance of the Access parcel as proposed will be in the best interest of the City.

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

Section 1. The Council hereby determines that accepting from the Rochester Urban Renewal Agency (RURA) its donation of the Access parcel is the appropriate method for providing Access to the Genesee Gateway Park and Improvements and that such Access will serve to effectuate the purposes of the Genesee Gateway Urban Renewal Project in accordance with Section 556(4) of the New York State General Municipal Law.

Section 2. The Council hereby authorizes Mayor to accept the donation of the following described parcel of real estate from RURA to enable the City to construct, operate and maintain the parcel as an access to the Genesee Gateway Park and Improvements, subject to the terms and conditions set forth in the foregoing and following provisions of this ordinance.

#### LEGAL DESCRIPTION OF ACCESS PARCEL TO BE DONATED TO THE CITY

All that tract or parcel of land containing 24,547 square feet, more or less, situate in Town Lot 11, Township 13, Range 6, Phelps and Gorham Purchase, City of Rochester, Monroe County, New York, all as shown on a map entitled "Erie Harbor Enhancements Phase 2, Parcel Map" dated June 15, 2023, having drawing no. 192800048 V-1, and being more particularly bounded and described as follows:

Beginning at a point on the westerly right-of-way line of Mt. Hope Avenue (66'wide R.O.W.) which point is the southeasterly corner of Lot 3 as shown on a map entitled "Genesee Gateway Urban Renewal, Resubdivision of 1, 71, and 151 Mt. Hope Ave.", prepared by Sear-Brown Associates, P.C., and filed in the Monroe County Clerk's office in Liber 231 of Maps at Page 46; thence

1. N 54°34'56" W, along the southerly line of said Lot 3, a distance of 309.46 feet to a point on the easterly boundary of Genesee Gateway Park, said point being the southwesterly corner of the said Lot 3; thence
2. N 26° 12'49" E, along the line dividing the Genesee Gateway Park on the west and the said Lot 3 on the east, a distance of 75.98 feet to a point; thence through Lot 3 the following two (2) courses and distances
3. S 54° 34'56" E, along a line which is parallel with, and 75.00 feet northerly of, Course number 1 above, a distance of 262.00 feet to a point; thence
4. S 80°59'20" E, a distance of 66.56 feet to a point on the aforementioned westerly right-of-way line of Mt. Hope Avenue; thence
5. S 35°25'04" W, along the said right-of-way line, a distance of 104.60 feet to the Point of Beginning.

Subject to any and all easements and encumbrances of record.

Section 3. The Council hereby authorizes the Mayor to execute such agreements or other documents as are necessary for the disposition of real property authorized herein, which shall contain such other terms and conditions as the Mayor deems appropriate.

Section 4. Upon the date of closing, any City taxes and other charges owed against said parcel shall be canceled. Any taxes levied after the date of closing, while the City owns the parcel, shall also be cancelled. The property shall be conveyed to the City with no other outstanding liens.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

President Meléndez, introduced a motion to discharge Int. No. 295.  
Moved by Councilmember Patterson; 2<sup>nd</sup> by Councilmember Peo.  
Motion to discharge passed unanimously.

## TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-258

Re: Sale of the East End Parking Garage to the University of Rochester

Council Priority: Jobs and Economic Development

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

Transmitted herewith for your approval is legislation authorizing the sale of the East End Parking Garage (the “Garage”) to University of Rochester or an entity to be formed by the University of Rochester (Sarah C. Mangelsdorf, President) (the “Purchaser”). The Purchaser was selected through a Request for Proposals (“RFP”) issued on June 14, 2022. The purchase price for the Garage will be \$4,447,000.

The Garage is a two-section, 5- and 6-story structure consisting of 1,282 parking spaces situated on a 2.28-acre parcel located at the southwest corner of Scio and East Main streets. An independent appraisal of the Garage completed by Bruckner, Tillett, Rossi, Cahill & Associates in February 2022 determined an appraised value of \$3,090,000. The U of R proposed a purchase price of \$4,447,000. This amount will be adjusted at closing to reflect costs and/or credits including, but not limited to, an approximately \$539,809 account balance referenced in an existing Parking Agreement which required the City to create a designated account for the purpose of securing on-going parking for the residents at the Sagamore on East building.

The Purchaser is a leading economic driver in this community and region and is the largest private employer in Upstate New York and the state’s seventh largest. The Purchaser enhances the city’s artistic and cultural capital through the East School of Music located downtown as a vibrant anchor for the city’s East End, presenting many concerts a year at Kodak Hall in the Eastman Theater. Eastman serves as the host, key partner, and epicenter of the Rochester International Jazz Festival and the Rochester Fringe Festival which the Purchaser also sponsors. Contributing to the Purchaser’s significant presence and positive influence downtown, its affiliate NextCorps, is located in the Sibley building and is the region’s federal- and state-designated business incubator and helps innovative technology companies launch and grow.

More recently, the Purchaser partnered with local developers to increase student housing in the former Xerox Tower now known as Innovation Square. The University of Rochester is an anchor tenant with 90% of the students who currently live there attending the University of Rochester.

The Purchaser has indicated a commitment to providing safe, inclusive, and equitable services to residents, employers, employees, and visitors to the East End, and commits to continue to operate the Garage for public parking in support of event parking for festivals and other events taking place at the Eastman Theatre, the Eastman School of Music, Christ Church, and various area restaurants and bars. The Purchaser views its acquisition of the Garage as an essential element of the Eastman School of Music’s future and the proposed expansion of medical services to the residents of the city.

The City has entered into parking agreements with the Eastman School of Music and the Sagamore on East, LLC that reserves spaces for students, employees and residents. There is also a rooftop lease with OmniPoint Communications for the placement of communications antenna on the Garage. The Purchaser will be required to maintain these agreements as necessary.

The sale of the Garage will financially benefit the City via up front revenue from sale proceeds (net of currently outstanding debt of \$819,000), and moving forward, savings from avoidance of annual maintenance costs, as well as increased tax revenue. The net proceeds will be set aside in the Parking Fund as a future funding source for operating and maintaining the remaining City-owned garages. The Purchaser understands that the Garage will be assessed full real estate taxes with no special tax abatements. Additionally, the sale will continue the provision of public parking for visitors and for employees and customers of area businesses. Current parking fee rates will be maintained through the end of June 2025 with the exception that if the City raises its rates on other garages, the Purchaser may do so at the same dollar amount of rate change.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-258  
(Int. No. 295)

### **Authorizing the sale of the East End Parking Garage**

WHEREAS, the City of Rochester has received a proposal from the University of Rochester (UR) for UR or an entity to be formed by UR (collectively, the Purchaser) to purchase and continue to operate the East End Parking Garage located at 475 East Main Street comprised of a two-section, 5- and 6-story structure containing approximately 1,282 parking spaces (the Garage);

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

WHEREAS, UR, a leading economic driver in the Rochester region and the largest private employer in Upstate New York, also enhances the city's artistic and cultural capital through the Eastman School of Music, the Eastman Theater and as a host and key partner of the Rochester International Jazz and Rochester Fringe festivals, all located or concentrated near the Garage;

WHEREAS, UR indicates that it is committed to providing safe, inclusive and equitable parking service to the residents, employers and visitors to the East End and to continue to operate the Garage for public parking in support of event parking for festivals and other public events taking place at the Eastman Theater, the Eastman School of Music, Christ Church and the various area restaurants and bars;

WHEREAS, the Purchaser proposes to purchase the Garage for the sum of \$4,447,000, which exceeds the Garage's independently appraised value of \$3,090,000;

WHEREAS, the Purchaser proposes to assume title to the Garage subject to existing easements, leases and parking agreements, including but not limited to parking agreements with the Eastman School of Music and the Sagamore on East, LLC as well as a rooftop antenna lease with OmniPoint Communications;

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

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

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

Section 1. The Council hereby approves the sale of the Garage to the University of Rochester, or an entity to be formed by UR, for the sum of \$4,447,000, subject to the terms set forth in the foregoing and following provisions herein and to such additional terms and conditions as the Mayor deems appropriate.

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

Section 3. The Mayor is hereby authorized to enter into such agreements and to execute such other instruments as may be necessary to implement the actions authorized herein. The agreements and other instruments shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Harris  
July 18, 2023

To the Council:

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

- Int. No. 297     Authorizing agreements for Youth Employment Services
- Int. No. 298     Authorizing agreements and appropriations and amending the 2023-24 Budget for the Comprehensive Adolescent Pregnancy Prevention Grant program
- Int. No. 299     Authorizing an agreement and amending the 2023-24 Budget relating to Petco Love Animal Sheltering & Adoption grants
- Int. No. 300     Authorizing an agreement and amending the 2023-24 Budget relating to the employment of a Foster Care and Transfer Coordinator and two Community Outreach Specialists for Rochester Animal Services, **as amended**

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. 2023-259  
Re:     Agreements – Youth Employment Services Summer Learning Innovation Development  
           Enlightenment Series

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation relating to the Department of Recreation and Human Services Summer Learning Innovation Development Enlightenment Series. This legislation will:

1. Establish \$30,000 as maximum compensation for an agreement with Blue Sky Associates of Upstate NY, Inc. dba Dale Carnegie Training of Rochester (Doug Escher, Rochester, NY) for the Preparing Young Leaders for the Real World training program. The training provides youth participants with the skills they need to reach their goals and live up to their full potential at school, home, and work. Approximately 25 youth who expressed interest in the Summer Learning Innovation Development Enlightenment Series will attend the professional development and leadership training. The cost of this agreement will be funded by the 2023-24 Budget of the Department of Recreation and Human Services and the term of this agreement will be for one year.
2. Establish \$23,300 as maximum compensation for an agreement with Hillside Children's Center, a program of Hillside Family of Agencies (Maria Cristalli, President, Rochester NY) to provide workforce readiness training to 100 youth, utilizing Youth Employment Training Academy (YETA) curriculum. The cost of this agreement will be funded by the 2023-24 Budget of the Department of Recreation and Human Services and term of this agreement will be for one year.

These training opportunities will be offered to participants who register for the Summer Learning Innovation Development Enlightenment Series. The trainings will be delivered from July to August 2023. A full justification for not issuing a request for proposals is attached.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-162

Ordinance No. 2023-259  
(Int. No. 297)

### **Authorizing agreements for Youth Employment 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 Blue Sky Associates of Upstate NY, Inc. to provide a Preparing Young Leaders for the Real World training program to approximately 25 eligible youths. The maximum compensation for the agreement shall be \$30,000, which shall be funded from the 2023-24 Budget of the Department of Recreation and Human Services (DRHS). The term of the agreement shall be one year.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with Hillside Children's Center, an affiliate of the Hillside Family of Agencies, to provide workforce readiness training to approximately 100 eligible youths. The maximum compensation for the agreement shall be \$23,300, which shall be funded from the 2023-24 Budget of DRHS. 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. This ordinance shall take effect immediately.

Passed unanimously.  
TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-260  
Re: Agreements – New York State Department of Health, Comprehensive Adolescent Pregnancy Prevention Grant

Council Priority: Support the Creation of Effective Educational Systems

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to the New York State Department of Health Comprehensive Adolescent Pregnancy Prevention (CAPP) Grant program to address unintended teen pregnancy. This legislation will:

1. Authorize a grant agreement with the New York State Department of Health (NYSDOH) for a five-year Comprehensive Adolescent Pregnancy Prevention grant with a term of July 1, 2023 – June 30, 2028, and the receipt and use of an annual award of \$530,000 for the period of July 1, 2023 – June 30, 2024.
2. Amend the 2023-24 Budgets of the Department of Recreation and Human Services by \$194,400 and Undistributed Expenses by \$102,900 to reflect the grant funding (\$297,285) for staff salaries and fringe benefits.
3. Appropriate the remaining \$232,715 in grant funding to the Teenage Pregnancy Prevention Special Revenue Fund. These funds will be utilized for professional services agreements (\$152,590) and to support non-personnel program expenses such as educational supplies, printing, youth development programming, and professional development (\$80,125).
4. Establish maximum compensation for agreements with the following organizations to provide related services from July 1, 2023 to June 30, 2024 to be funded by the grant appropriated herein:

Anthony L. Jordan Health Corporation	\$20,000
Society for the Protection and Care of Children	72,590
Young Women’s Christian Association of Rochester and Monroe County	<u>60,000</u>
TOTAL	\$152,590

The goal of this program is to significantly reduce the rate of pregnancy among teenagers in targeted areas. The primary goals of the program are to:

- Implement evidence-based curricula in Rochester area schools
- Reduce adolescent pregnancy rates in Monroe County
- Improve high school graduation rates in Monroe County.

The program was last awarded by NYSDOH for a five-year term from January 1, 2017 to December 31, 2021 and extended through June 30, 2023, authorized by Ordinance No. 2022-390.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-260  
(Int. No. 298)

**Authorizing agreements and appropriations and amending the 2023-24 Budget for the Comprehensive Adolescent Pregnancy Prevention Grant program**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Health (NYSDOH) for the City to receive and use Comprehensive Adolescent Pregnancy Prevention program (Program) grants during a five-year term of July 1, 2023 through June 30, 2028 and to include \$530,000 for the period of July 1, 2023 through June 30, 2024, which amount is hereby appropriated to the Program for that one-year period.

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 Recreation and Human Services (DRHS) by \$194,400 and to the Budget of Undistributed Expenses by \$102,900 from a portion of the Program appropriation authorized in Section 1, herein.

Section 3. Funds in the amount of \$232,715 from the Program grant authorized in Section 1 are hereby appropriated to the Teenage Pregnancy Prevention Special Revenue Fund to pay for non-personnel and indirect expenses relating to the Program.

Section 4. The Mayor is hereby authorized to enter into a professional services agreement with each of the following organizations to provide Program services for the period of July 1, 2023 through June 30, 2024 for a maximum compensation amount specified as follows:

Anthony L. Jordan Health Corporation	\$20,000
Society for the Protection and Care of Children	\$72,590
Young Women’s Christian Association of Rochester and Monroe County	\$60,000
TOTAL	\$152,590

The agreements shall be funded from a portion of the Program grant authorized in Section 1 herein.

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. 2023-261  
Re: Grant Agreement – The Petco Foundation

Council Priority: Creating & Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to The Petco Foundation Animal Sheltering and Adoptions grants. This legislation will:

1. Authorize an agreement with The Petco Foundation for the receipt and use of the 2022 Petco Love Animal Sheltering & Adoptions grant in the amount of \$5,000. The term of this agreement is for a period of one year.
2. Amend the 2023-24 Budget of the Department of Recreation and Human Services budget by \$5,000 to reflect the grant received.
3. Amend the 2023-24 Budget of the Department of Recreation and Human Services budget by \$4,700 to reflect remaining available funds from the prior Petco Love grant previously authorized by Ordinance No. 2022-223.

These grant funds will be used to continue subsidizing the Animal Services pet adoption program. Through this program, the City offers free pet adoptions during a series of scheduled events. The grant funds are used to pay for the adoption fees. Additionally, a portion of the grant will be used to pay for the site access agreement with Kodak for the City's dog playgroups program.

This grant has supported 896 pet adoptions during the eight years that the City has received this grant. This grant was last authorized via Ordinance No. 2022-223.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-261  
(Int. No. 299)

**Authorizing an agreement and amending the 2023-24 Budget relating to Petco Love Animal Sheltering & Adoption grants**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with The Petco Foundation for the City's receipt and use of a Petco Love Animal Sheltering & Adoption grant of \$5,000, which amount is hereby appropriated to fund the Rochester Animal Services' pet adoption program (Program). The term of the agreement shall be one year.

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

Section 3. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations of the Budget of the Department of Recreation and Human Services (DRHS) by \$9,700, comprised of \$5,000 appropriated to the Program by Section 1 herein and \$4,700, being a portion of the Petco Love Animal Sheltering & Adoption grant appropriated to the 2022-23 Budget of DRHS in Ordinance No. 2022-223.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-262  
Re: Agreement – Verona Street Animal Society

Council Priority: Creating & Sustaining a Culture of Vibrancy

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to Rochester Animal Services. This legislation will:

1. Authorize an agreement with Friends of Verona Street Animal Shelter, d/b/a Verona Street Animal Society (VSAS), (Mary Jones, Executive Director, 184 Verona Street, Rochester, New York 14608), for the receipt and use of \$198,259 to fund ~~three full-time positions~~ at Rochester Animal Services for the term of July 1, 2023 through June 30, 2024.
2. Amend the 2023-24 Budgets of the Department of Recreation and Human Services by \$41,000 and of Undistributed Expenses by \$21,800 to reflect a portion of the funding authorized herein. The remaining portion of the funding (\$135,491) was anticipated and included in the 2023-24 Budgets of the Department of Recreation and Human Services and Undistributed Expenses.

For the past two years, VSAS has provided funding to Rochester Animal Services for one full-time Foster Care and Transfer Coordinator and a portion of one full-time Community Outreach Specialist. This new award includes additional funding for a second full-time Community Outreach Specialist position.

The Foster Care and Transfer Coordinator position coordinates the recruitment, placement, orientation, training, and monitoring of foster care volunteers and the animals and the activities associated with the Foster Care Program and the Transfer Program for Rochester Animal Services. The Community Outreach Specialists provide supportive services to community members facing barriers in access to resources to support the human-animal bond and keep people and pets together.

This is the third year that VSAS has provided this funding to Rochester Animal Services for two positions. This will be the first year of funding for a third position.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-262  
(Int. No. 300)

**Authorizing an agreement and amending the 2023-24 Budget relating to the employment of a Foster Care and Transfer Coordinator and two Community Outreach Specialists for Rochester Animal Services, as amended**

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 Friends of the Verona Street Animal Shelter Inc. (Friends) for the receipt and use of \$198,259 to fund the employment of ~~a one~~ full-time Foster Care and Transfer Coordinator (Coordinator) and two full-time Community Outreach Specialists (Outreach) for Rochester Animal Services. The funding is intended to cover the entire annual salary and fringe benefits for one Coordinator and for one Outreach position and to cover one half of the annual salary and fringe benefits for the remaining Outreach position. The term of the agreement shall be July 1, 2023 through June 30, 2024.

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 Department of Recreation and Human Services by \$41,000 and to the Budget of Undistributed Expenses by \$21,800 from the Friends' funds authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

By President Meléndez  
July 18, 2023

To the Council:

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

- Int. No. 301 Resolution appointing a member of the Police Accountability Board
- Int. No. 302 Authorizing an intermunicipal agreement and amending the 2023-24 Budget for a 2023 Ignition Interlock Device Non-Installer Enforcement Program grant
- Int. No. 307 Authorizing an agreement with the Dormitory Authority of the State of New York to fund a Mobile Gaming Unit
- Int. No. 308 Authorizing an agreement for a 2022-23 Body Worn Camera Program Grant
- Int. No. 309 Authorizing agreements related to the 2023-24 Gun Involved Violence Elimination (GIVE) grant
- Int. No. 310 Authorizing an intermunicipal agreement and amending the 2023-24 Budget for Pathways to Peace School Based Programming
- Int. No. 312 Authorizing an intermunicipal agreement with the Rochester City School District and amending the 2023-24 Budget with regard to overtime police services during summer school

Respectfully submitted,  
Miguel A. Meléndez Jr.  
Mary Lupien  
Mit Gruber  
Lashay D. Harris  
Willie J. Lightfoot (*absent*)  
Stanley Martin (*voted against Int. Nos. 301, 307, 309 & 312*)  
Michael A. Patterson  
Jose Peo (*absent*)  
Kimberly Smith  
**PUBLIC SAFETY COMMITTEE**

Received filed & published

TO THE COUNCIL  
Ladies and Gentlemen:

Resolution No. 2023-23  
Re: Police Accountability Board Appointment

Transmitted herewith for your approval is a resolution appointing Yvonne Wilson to the Police Accountability Board for the South District Seat. This candidate was interviewed by City Council members.

This seat was vacated by a previous Board member on January 19, 2023, however, that member was sitting in a seat that expired on June 30, 2022, and was eligible for a full 3-year term. Therefore, Ms. Wilson will serve the remaining portion of that term, expiring on June 30, 2025.

City residency was verified and her resume is on file with the City Clerk.

Respectfully submitted,  
Miguel A. Meléndez Jr.  
City Council President

Resolution No. 2023-23  
(Int. No. 301)

**Resolution appointing a member of the Police Accountability Board**

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

Section 1. The Council hereby approves the appointment of Yvonne Wilson to the Police Accountability Board to fill a vacancy for the seat designated to the South District for a term expiring on June 30, 2025.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-263  
Re: Grant Agreement – Monroe County

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Monroe County for the receipt and use of \$10,000 for the Ignition Interlock Device Non-Installer Enforcement Program (IIDEP) grant, and amending the 2023-24 Budget of the Police Department by this amount.

The 2023 IIDEP Program grant will be used to pay for overtime for enforcement relating to the required use of Ignition Interlock Devices (IID). All individuals convicted of DWI are required, as a condition of sentence, to install and maintain an IID in any vehicles they own or operate. Individuals who continue to operate without an IID installed not only are violating the conditions of their sentence, but also committing a new offense pursuant to Vehicle and Traffic Law. Accordingly, the IID Non-Installer Enforcement Program is intended to promote compliance with the aforementioned

IID requirements of Leandra’s Law through collaborative enforcement activities. This funding is made available to Monroe County by the Governor’s Traffic Safety Committee.

The term of this agreement is May 29, 2023 through September 15, 2023. This grant does not allow fringe expenses, estimated at \$3,500. No matching funds are required. This is the first time the City has received this grant.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-263  
(Int. No. 302)

**Authorizing an intermunicipal agreement and amending the 2023-24 Budget for a 2023 Ignition Interlock Device Non-Installer Enforcement Program grant**

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the County of Monroe for the City’s receipt and use of a \$10,000 grant, which is hereby appropriated to implement a 2023 Ignition Interlock Device Non-Installer Enforcement Program (Program). The term of the agreement shall be May 29, 2023 through September 15, 2023 inclusive. The agreement shall have such additional terms and conditions as the Mayor deems appropriate.

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 Police Department by \$10,000, to reflect the receipt of the Program funds appropriated in Section 1 herein.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-264  
Re: Agreement - Dormitory Authority State of New York Economic Development Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation authorizing an agreement with Dormitory Authority State of New York (DASNY) for the receipt and use of \$145,000 for the purchase of a mobile gaming trailer and tow vehicle. The Mobile Gaming Unit (MGU) will be deployed by the Community Affairs Division to engage youth and foster a positive relationship with police officers at events such as Project TIPS, festivals, sporting events, and neighborhood outreaches. The gaming trailer will house multiple flat screen TVs and gaming consoles, along with a sound system and bench seating for players.

The term of this agreement commences when the contract with DASNY is finalized and concludes three years thereafter. This is the first time the City is receiving these funds.

Respectfully submitted,  
Malik D. Evans  
Mayor  
Ordinance No. 2023-264  
(Int. No. 307)

**Authorizing an agreement with the Dormitory Authority of the State of New York to fund a Mobile Gaming Unit**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the Dormitory Authority of the State of New York (DASNY) for the receipt and use of \$145,000, which amount is hereby appropriated to acquire a Mobile Gaming Unit (MGU), comprised of a trailer containing game devices and a tow vehicle, to be used by the Rochester Police Department for community outreach. The term of the agreement shall be three years.

Section 2. The Mayor or his designee is hereby authorized to execute on behalf of the City such other agreements and documents in connection with the acquisition and operation of the MGU as the DASNY may require for providing the funding authorized herein.

Section 3. The funding agreement, as well as any other agreements and documents authorized herein, shall contain such additional terms and conditions as the Mayor deems appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-265  
Re: Grant Agreement - New York State Division of Criminal Justice Services, 2022-2023  
Body-Worn Camera Program Grant

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 Criminal Justice Services (DCJS) for the receipt and use of \$60,000 for a 2022-2023 Body-Worn Camera (BWC) grant.

The grant funds will be used to purchase body-worn cameras for SWAT Team members to use on their SWAT uniforms.

There is no time period for this grant, and this is the first time the City has received this grant.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-163

**Authorizing an agreement for a 2022-23 Body-Worn Camera Program Grant**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services for the receipt and use of a 2022-23 Body-Worn Camera Program Grant of \$60,000, which amount is hereby appropriated to acquire body-worn cameras for the Police Department's SWAT Team.

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

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-266  
Re: Agreement - New York State Division of Criminal Justice Services, 2023-24 GIVE Grant

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to a New York State Division of Criminal Justice Services (DCJS) grant. This legislation will:

1. Authorize an agreement with DCJS for the receipt and use of a Gun Involved Violence Elimination (GIVE) grant in the amount of \$3,241,500 for the term of July 1, 2023 to June 30, 2024; and
2. Authorize an amendatory agreement with Rochester Institute of Technology (RIT), approved in Ordinance No. 2022-221, to increase the annual maximum compensation for each of the three renewal periods to the amount actually awarded for this purpose under the GIVE grant for each year. For FY2023-24, the maximum amount shall be \$375,000 to employ a GIVE Director, GIVE Analyst, Non-fatal Shooting Analyst, and students to work with the taskforce. The first year's renewal term of the agreement will be funded from the 2023-24 Budget of the Police Department.

This grant will support the continued work of a County-wide criminal justice taskforce to reduce violent crime in Rochester. GIVE strategies are exclusively focused on firearm related crime, primarily shootings and homicides. Methods of reducing firearm violence will focus on violent dispute intervention and resolution; deterring access to illegal firearms; implementing offender-based tactics and place-based tactics; and team-based investigations of non-fatal shootings (NFS).

The grant provides \$2,089,400 for salaries and fringe benefits for eight investigators and two sergeants to work on NFS investigations. Salaries will cost \$1,238,500 and fringe benefits are \$850,900. The grant also includes \$593,400 in officer overtime, but does not pay for the associated fringe cost of \$209,900. Overtime details will focus on known gun offenders and gun violence hotspots (\$365,000). Other overtime will be spent for additional investigators to work on NFS cases (\$213,400) and for officers to engage in youth engagement activities (\$15,000). PathStone Corporation will provide case

management and client services to focused deterrence participants (\$161,700, authorized by ordinance 2022-221). The remaining \$22,000 will be used to purchase supplies and food for custom notifications and community engagement, rental cars for undercover details, and training required by DCJS. No matching funds are required. This will be the tenth year RPD has received this award.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-266  
(Int. No. 309)

**Authorizing agreements related to the 2023-24 Gun Involved Violence Elimination (GIVE) grant**

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

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice Services (DCJS) for the receipt and use of a grant of \$3,241,500, which amount is hereby appropriated to continue programming through the Gun Involved Violence Elimination (GIVE) taskforce to reduce violent crime in the city (Project). The term of the agreement shall from July 1, 2023 through June 30, 2024.

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with the Rochester Institute of Technology (RIT) to engage staff and students with the GIVE taskforce to implement the Project. The amendment to the original agreement approved in Ordinance No. 2022-221 shall:

- a) establish \$375,000 as the maximum compensation for the first optional one-year renewal term, which amount shall be funded from the 2023-24 Budget of the Police Department; and
- b) base the maximum compensation for each of the second and third optional extension years on the amount of Program funds that the DCJS awards and authorizes for RIT's services.

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

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays - Councilmember Martin - 1.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-267  
Re: Inter-Municipal Agreement - Rochester City School District's Utilization of Pathways to Peace for School Based Programming

Council Priority: Public Safety

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods

Transmitted herewith for your approval is legislation related to funds for Pathways to Peace from the Rochester City School District. This legislation will:

- 1) Authorize an inter-municipal agreement with the Rochester City School District for the receipt and use of \$653,400 for a term of one year.
- 2) Amend the 2023-24 Budget of the Mayor's Office by \$417,600 and the Budget of Undistributed Expenses by \$235,800 to reflect the agreements above.

Under this agreement the District will reimburse the City for Pathways to Peace (PTP) staff expenses. The City of Rochester Mayor's Office of Violence Prevention will create a school-based Pathways to Peace (PTP) team consisting of nine full-time staff to operate within the District as agreed upon between Pathways to Peace and the Rochester City School District during the 2023-2024 school year. This agreement will have a term of one year.

Services provided will include student mediation, developing and implementing safety plans for student re-entry following a period of absence due to violence, and response to school emergencies.

Pathways to Peace services have been provided to the District since 2016. This service was last authorized by Ordinance No. 2022-258. The RCSD Board of Education approved this agreement at its May 25, 2023 meeting.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-267  
(Int. No. 310)

**Authorizing an intermunicipal agreement and amending the 2023-24 Budget for Pathways to Peace School Based Programming**

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District (RCSD) for the City's receipt and use of compensation from RCSD to provide staff support to operate a Pathways to Peace program at schools designated by the RCSD for the 2023-24 school year. The term of the agreement shall be one year. The maximum compensation for the agreement shall be \$653,400, which shall be funded in the amounts of \$417,600 from the 2023-24 Budget of the Office of the Mayor and \$235,800 from the 2023-24 Budget of Undistributed Expenses.

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 \$417,600 and to the Budget of Undistributed Expenses by \$235,800, which amounts are hereby appropriated from funds to be received under the agreement authorized by Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-268  
Re: Rochester City School District, Overtime Police Services

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

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation relating to police services. This legislation will:

1. Authorize an Intermunicipal agreement with the Rochester City School District (RCSD) for the provision of sworn Police Officers to provide police services for 2023 summer school in return for the RCSD's reimbursement of the City's costs in an amount not to exceed \$90,800;
2. Amend the 2023-24 Budget of the Police Department by \$67,100;
3. Amend the 2023-24 Undistributed Budget by \$23,700.

RPD will provide police services at the school facilities listed below during student arrival and dismissal times, with reimbursement for costs at the Special Events overtime rate at the time worked, which will be a minimum of \$107 per hour. Four hours of police presence will be provided at arrival times on each of the chosen school days, as well as four hours during dismissal, with one officer provided for each arrival and dismissal. The term of the agreement shall be July 5, 2023 through August 17, 2023. The schools and expected arrival and dismissal times are as follows:

SCHOOL	ADDRESS	ARRIVAL	DISMISSAL
East	1801 East Main Street	8:15AM	3:30 PM
Edison	655 Colfax Street	7:15 AM	2:30 PM
Monroe	164 Alexander Street	7:15AM	3:00 PM
Adams Street	85 Adams Street	7:15AM	1:45 PM

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. 2023-164

Ordinance No. 2023-268  
(Int. No. 312)

**Authorizing an intermunicipal agreement with the Rochester City School District and amending the 2023-24 Budget with regard to overtime police services during summer school**

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

Section 1. The Mayor is hereby authorized to enter into an intermunicipal agreement with the Rochester City School District (RCSD) for sworn City of Rochester Police Officers to provide police services during student arrival and dismissal times for the summer school session at certain school facilities, and to obtain from RCSD reimbursement for such services at a minimum overtime rate of \$107 per hour per officer and not to exceed a total of \$90,800. The term of the agreement shall extend through August 17, 2023.

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 Police Department by \$67,100 and to the Budget of Undistributed Expenses by \$23,700, which amounts are hereby appropriated from the anticipated reimbursements authorized in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

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

Nays - Councilmember Martin - 1.

By Councilmember Gruber  
July 18, 2023

To the Council:

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

- Int. No. 303     Appropriating American Rescue Plan Act funds and authorizing an amendatory agreement related to Public Sector Asset Management and Permitting Enterprise solutions
- Int. No. 304     Amending the 2023-24 Budget and authorizing an agreement for a Community Food System Plan
- Int. No. 305     Authorizing an agreement and amending the 2023-24 Budget for a Child Savings Account program
- Int. No. 306     Appropriation from the Insurance Reserve Fund
- Int. No. 313     Approving the contracting of a Program Manager for Phase III of the Rochester Joint Schools Construction Board's Facilities Modernization Program
- Int. No. 314     Resolution endorsing an application for a State historic preservation grant for the Restoring the Rock Garden's Grape Arbor project on the grounds of the George Eastman Museum

Respectfully submitted,  
Mitch Gruber  
Michael A. Patterson  
Kimberly Smith  
Mary Lupien (*abstained on Int. No. 313*)  
Miguel A. Meléndez, Jr.  
**FINANCE COMMITTEE**

Received, filed and published

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-269

Re: Appropriation - American Rescue Plan Act, Infor Asset Management and Permitting Enterprise Solution

Council Priority: Deficit Reduction and Long Term Financial Stability

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity and Growth

Transmitted herewith for your approval is legislation related to the use of American Rescue Plan Act (ARPA) funding to expand upon the existing permitting, licensing, and inspection operations and implement an enterprise Asset Management software solution for the City's Department of Environmental Services within the Infor Public Sector application. These initiatives will allow the City to replace four critical Mainframe systems as well as seven legacy Microsoft Access applications. This legislation will:

1. Appropriate \$1,450,000 in ARPA funding to procure software licensing and professional implementation services for Infor's Public Sector Asset Management Module.
2. Authorize an amendatory agreement that adds \$2,493,120 to the maximum compensation of the professional services agreement with Visionary Integration Professionals, LLC (VIP) [Jonna Ward, CEO, 80 Iron Point Circle, Suite 100 Folsom, CA 95630], originally authorized in Section 2 of Ordinance No. 2021-265 and previously amended in Section 4 of Ordinance 2022-361 and in Section 2 of Ordinance No. 2023- 135. This amendment will increase the maximum authorized compensation from \$4,442,120 to a total of \$6,935,240. This increase will provide professional services for the implementation of Infor Public Sector's Asset Management and Permitting, Licensing and Inspection modules for DES Asset Management & Permitting, Fire Operating Permits, and City Owned Real Estate Management. The term of the agreement will be extended six months to a total of five years from the initial agreement date of 9/1/2021.

The cost of this increase will be funded as follows:

- \$1,450,000 from American Rescue Plan Act (ARPA) funding as specified above
- \$450,000 from 2021-22 Cash Capital
- \$593,120 from 2023-24 Cash Capital

The City of Rochester received a \$202.1 million award from the Coronavirus State and Local Fiscal Recovery Fund established by the American Rescue Plan Act (ARPA). The Accounts Receivable enterprise solution project was included in the City of Rochester's Strategic Equity and Recovery Plan, shared with City Council on September 29, 2021, and also in an updated plan shared at a Council Work Session on September 29, 2022. This project is an eligible use of ARPA funding under the Final Rule Expenditure Category 6.1 Provision of Government Services.

The funds will be used to extend the existing agreement with Visionary Integration Professionals, LLC (VIP) to professionally implement a replacement to the City's current Mainframe and Microsoft Access solutions for Asset Management within the Department of Environmental Services (DES). These funds will also be used to expand permitting, licensing, and inspection processes for DES, the Rochester Fire Department, and the Department of Neighborhood and Business Development (NBD) Division of Real Estate. This new solution will replace several legacy Mainframe and Access solutions which are highly outdated, difficult to configure, expensive to maintain, and pose a risk of business disruption due to failure of these aging systems. The new solution will also promote the quality and utilization of assets throughout their lifecycle, increase productive uptime, and reduce operational costs for all departments involved.

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

VIP will provide implementation services, including project management, data migration, system configuration, process refinement, and end user training. A request for proposals was not issued for these services as the City currently utilized Infor Public Sector for permitting, licensing, and code enforcement in NBD and already includes cashiering and financial configuration that is currently integrated with the City's financial system. VIP also currently serves as the implementor for the existing Infor solutions in use at the City and has unique knowledge of the City's current configuration of the solution. The initial contract with Visionary Integration Professionals, LLC for the Infor implementation was authorized by Council Ordinance 2021-318. It is anticipated that implementation of the new modules will begin in July 2023, and that the modules will be implemented in stages through December 2025. The balance of the appropriation will be included in future budgets of the Department of Information Technology, contingent upon their approval, for maintenance costs.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-269  
(Int. No. 303)

**Appropriating American Rescue Plan Act funds and authorizing an amendatory agreement related to Public Sector Asset Management and Permitting Enterprise solutions**

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

Section 1. The Council hereby appropriates the sum of \$1,450,000 provided by the United States Treasury pursuant to the American Rescue Plan Act of 2021 (ARPA) to expand upon the existing Infor Public Sector Asset Management and Permitting Enterprise solutions for Department of Environmental Services operations.

Section 2. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Visionary Integration Professionals, LLC relating to the provision of software licenses and managed services for replacing the City's legacy mainframe data systems. The amendatory agreement shall modify the existing agreement, which was authorized in Section 2 of Ordinance No. 2021-265 and as amended in Section 4 of Ordinance No. 2022-361, in Section 2 of Ordinance No. 2023-135, and in Section 2 of Ordinance No. 2023-135, to:

- a) add to the scope of work the provision of additional Infor Public Sector Asset Management and Permitting Enterprise solutions for managing Department of Environmental Services assets and permitting, fire operating permits, and City owned real estate;
- b) increase the maximum compensation by \$2,493,120 to a new total of \$6,935,240; and
- c) extend the term of the agreement to September 1, 2026.

The amendatory compensation shall be funded in the amounts of \$1,450,000 from the ARPA funds appropriated in Section 1 herein, \$450,000 from 2021-22 Cash Capital and \$593,120 from 2023-2024 Cash Capital.

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

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-270

Re: Professional Services Agreement – City of Rochester Community Food System Plan

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

Comprehensive Plan 2034 Initiative Area: Reinforcing Strong Neighborhoods, Fostering Prosperity and Opportunity

Transmitted herewith for your approval is legislation to:

1. Establish \$300,000 as maximum compensation for an agreement with K. Karp Consulting Co., Inc., dba Karen Karp & Partners (Karen Karp, Principal, 1400 Lighthouse Rd, Southold, NY 11971); and
2. Amend the 2023-24 Budget of Neighborhood and Business Development (NBD) by \$300,000 to reflect a portion of the \$5,000,000 in American Rescue Plan Act (ARPA) dollars that were previously appropriated to the Healthy Food Loan and Grant Program via Ordinance 2022-299.

The agreement with Karen Karp & Partners will be to provide professional services to develop a Community Food System Plan for Rochester. The cost of the agreement will be funded from the 2023-24 Budget of NBD, with ARPA funding as described above. The term of the agreement will be two years, with an option to extend for an additional six-month period.

The goal of the Healthy Food Loan and Grant Program is to invest in activities that increase healthy food access for low-income city residents and/or in areas of the city with limited healthy food access. A portion of the \$5,000,000 in ARPA funds was reserved to conduct a citywide assessment and plan. The main components of the Community Food System Plan are to conduct research and mapping/data analysis, gather widespread community and stakeholder input, develop a comprehensive baseline inventory/assessment of the food environment and access across the city, identify resources and unmet needs, and develop recommendations to inform City efforts related to improving healthy food access and resilience moving forward.

The consultant was selected through a Request for Proposals process and a vendor selection form is attached.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-165

Ordinance No. 2023-270  
(Int. No. 304)

**Amending the 2023-24 Budget and authorizing an agreement for a Community Food System Plan**

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

Section 1. Ordinance No. 2023-228, the 2023-24 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Budget of Neighborhood and Business Development (NBD) by \$300,000 to be allocated from a portion of American Rescue Plan Act of 2021 (ARPA) funds appropriated to implement a Healthy Food Loan and Grant program in Ordinance No. 2022-299.

Section 2. The Mayor is hereby authorized to enter into a professional services agreement with K. Karp. Consulting Co., Inc. to develop a Community Food System Plan for the City of Rochester. The maximum compensation for the agreement shall be \$300,000, which shall be funded from the 2023-24 Budget of NBD. The term of the agreement shall be two years, with the option to extend for an additional six-month period.

Section 3. The agreement shall have such additional terms and conditions as the Mayor deems appropriate and the Mayor is hereby further authorized to execute any grant agreement or to provide such additional documentation as may be necessary to abide by Federal requirements for the expenditure of ARPA funds.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-271

Re: Grant Acceptance for the Office of Financial Empowerment

Council Priority: Jobs and Economic Development

Comprehensive Plan 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is legislation related to funding for the City's Office of Financial Empowerment. This legislation will:

- 1) Authorize a grant agreement with ESL Charitable Foundation (Ajamu Kitwana, Executive Director, 225 Chestnut St, Rochester NY 14604) for receipt and use of a \$244,000 grant for the purpose of designing and piloting a Children Savings Account program. The agreement will have a term of two years.
- 2) Amend the 2023-24 Budget of the Office of the Mayor by \$122,000 for the funding from ESL Foundation as outlined above. The remaining \$122,000 will be anticipated in the 2024-25 Budget of the Office of the Mayor.

This funding will be used to support the administrative costs to facilitate an intensive planning period for a Children Savings Account (CSA) program. Research across the country suggests that CSAs have huge impacts on the welfare of a child, such as increasing the likelihood they will attend college, improved social-emotional development, and increasing the likelihood of completing a college degree. Grant funds will be used for staffing, training, contracting with national technical assistance providers, and developing a cross-sector design committee to create a sustainable CSA initiative in the City of Rochester.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-271

(Int. No. 305)

**Authorizing an agreement and amending the 2023-24 Budget for a Child Savings Account program**

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

Section 1. The Mayor is authorized to enter into a grant agreement with the ESL Charitable Foundation, Inc. for the receipt and use of \$244,000, which amount is hereby appropriated to design and implement a Child Savings Account program (Program). The term of the agreement shall be two years.

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 \$122,000 to reflect the receipt of the Program funds appropriated in Section 1 herein.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2023-272  
Re: Appropriation – Insurance Reserve Fund

Council Priority: Deficit Reduction and Long Term Financial Stability

Transmitted herewith for your approval is legislation appropriating \$15 million from the Insurance Reserve Fund to finance the payment of general liability claims.

The City is self-insured against all general liability, auto and personal claims, for which purpose the Insurance Reserve Fund is maintained. All claims are paid from this fund.

The monies maintained as reserves are invested until needed for disbursement. The interest earned on these investments is added to the fund balance. Interest income for fiscal year 2022-23 was \$392,132.

As of June 2023 the fund balance was \$25,042,618, of that amount \$680,634 is appropriated for disbursement. Under the proposed legislation, \$15 million will be appropriated for the payment of claims.

The most recent appropriation was for \$4 million and was approved by City Council in September of 2022.

Respectfully submitted,  
Malik D. Evans  
Mayor

Ordinance No. 2023-272  
(Int. No. 306)

**Appropriation from the Insurance Reserve Fund**

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

Section 1. There is hereby appropriated from the Insurance Reserve fund the sum of

\$15 million, or so much thereof as may be necessary, to finance the payment of general liabilities and claims against the City.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2023-273

Re: Program Manager - Rochester School District Facilities Modernization Program Phase III

City Council Priority: Support the Creation of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing the Selection Committee of the Rochester Joint Schools Construction Board (RJSCB) to enter into exclusive negotiations with Savin Engineers, P.C., Pleasantville, New York, to serve as the Independent Program Manager for Phase 3 of the Facilities Modernization Program.

The Rochester Joint Schools Construction Board (RJSCB) was created by Chapter 416 of the Laws of 2007 of the State of New York and amended by Chapter 533 of the Laws of 2014 of the State of New York to manage the design, reconstruction or rehabilitation of school buildings (collectively, the “Phase I Projects”). The legislation provided for a maximum cost and bond authorization of up to \$325 Million for up to 13 projects.

Legislation for Phase II of the RSMP (also known as the Facilities Modernization Program) was signed into law by the Governor of the State of New York on December 17, 2014. The legislation authorized up to 26 projects in Phase II of the RSMP including a District Wide Technology program, which involved technology upgrades and infrastructure work at several school buildings. The total cost authorized for Phase II projects was a maximum of \$435 million.

Legislation for Phase III of the RSMP (also known as the Facilities Modernization Program) was signed into law by the Governor of the State of New York on November 19, 2021. The legislation authorizes up to 12 projects in Phase III of RSMP for the design, reconstruction or rehabilitation of school buildings. The total costs authorized for Phase III projects is a maximum of \$475 million.

The legislation for Phase III requires that all contracts entered into by the RJSCB are to be managed by an Independent Program Manager. The Program Manager is required to assist the RJSCB with developing and implementing project procedures; reviewing project plans and specifications; developing and implementing policies and procedures for employment resource utilization and training programs; and providing planning, design, financing and other services for projects as appropriate.

The legislation also requires a competitively bid process and approval of the selected Program Manager by the Mayor, City Council, the Rochester City School District (RCSD) Superintendent and the Board of Education. A Request for Proposals was issued in March 2023 for the Phase III Program Manager. The RFP was advertised in numerous news outlets and posted on various websites. One proposal was received.

A Selection Committee was convened in May 2023 consisting of several members of the RJSCB, Jesse Dudley (Board Member), Shawn Farr (Board Member), Ronald Gaither (Board Member), Kim Jones (Board Treasurer), and Richard Perrin (Board Member). After due deliberation, it is the consensus of the RJSCB Selection Committee to enter into exclusive negotiations with Savin

Engineers, P.C. to serve as the Independent Program Manager for Phase 3 of the RSMP, and for these exclusive negotiations to provide the RJSCB the opportunity to review additional requirements and gather additional information that is necessary before entering into a formal contract.

Savin Engineers, P.C. has headquarters in Pleasantville, New York. They are an MBE firm, founded in 1988, and have experience with K through 12 educational construction projects valued over \$3 billion, located throughout New York State, including Phases 1 and 2 of the RSMP. Savin Engineers, P.C. is consistently ranked among the Top 100 construction management firms by an industry magazine, Engineering News-Record, and is also an industry leader in providing program and construction management for educational, wastewater and transportation facilities.

On May 8, 2023, during the RJSCB Meeting, the Board approved the selection of Savin Engineers, P.C. via Resolution No. 2022-23: 25, which is attached. Likewise, on June 29, 2023, during the RCSD Board of Education Meeting, the Board approved Savin Engineers, P.C. via Resolution No. 2022-23: 838, which is attached.

Although subject to negotiation, it is expected that the Phase III Program Manager contract will not exceed \$22.9 million over an 8-year period.

Respectfully submitted,  
Malik D. Evans  
Mayor

Attachment No. AW-166

Ordinance No. 2023-273  
(Int. No. 313)

### **Approving the contracting of a Program Manager for Phase III of the Rochester Joint Schools Construction Board's Facilities Modernization Program**

WHEREAS, the Rochester Joint Schools Construction Board (the "RJSCB") was created by the Rochester School Facilities Modernization Program Act, which was enacted in Chapter 416 of the Laws of 2007, amended by Chapter 533 of the Laws of 2014, and amended further by Chapter 614 of the Laws of 2021 (the "Act") to manage the design, reconstruction or rehabilitation of existing school buildings for their continued use as schools of the Rochester City School District (the "Facilities Modernization Program");

WHEREAS, Chapter 614 of the Laws of 2021 revised the Act to authorize as Phase III of the Facilities Modernization Program up to 12 additional projects for a total cost of up to \$475,000,000;

WHEREAS, Section 10 of the Act requires the RJSCB to contract with an independent Program Manager to manage all contracts entered into by the RJSCB for implementing the Phase III projects, and requires that the scope of services for that Program Manager contract shall include assisting the RJSCB with the development and implementation of project procedures, reviewing project plans and specifications, developing and implementing policies and procedures for employment resource utilization and training programs, and providing planning, design, financing and other services for the projects as appropriate; and

WHEREAS, Sections 8 and 10 of the Act require that the Program Manager for Phase III of the Facilities Modernization Program be selected by means of a competitive selection process and that, prior to issuing a contract, the Program Manager selected shall be approved by the School District Superintendent, the Mayor, the City Council, and the Rochester Board of Education; and

WHEREAS, RJSCB convened a Program Manager Selection Committee for that purpose in May 2023, and, after issuing a Request for Proposals to provide Phase III Program Manager services

("RFP") that was advertised in numerous news outlets and posted on various websites, and after reviewing in-depth the one proposal that responded to the RFP, the Selection Committee has recommended Savin Engineers, P.C., for exclusive negotiations; and

WHEREAS, Council has been provided with a summary of Savin Engineers P.C.'s qualifications to perform the duties of Program Manager.

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

Section 1. The City Council hereby approves of and authorizes the RJSCB to enter into exclusive negotiations with Savin Engineers, P.C. to serve as independent Program Manager and hereby authorizes the RJSCB to enter into a contract with Savin Engineers, P.C. for said services at the conclusion of such negotiations.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Resolution No. 2023-24

Re: Endorsing a Grant Application - Restoring the Rock Garden's Grape Arbor at the George Eastman Museum

Council Priority: Creating and Sustaining a Culture of Vibrancy

Rochester 2034 Initiative Area: Fostering Prosperity & Opportunity

Transmitted herewith for your approval is a resolution related to the Restoring the Rock Garden's Grape Arbor project on the grounds of the George Eastman Museum at 900 East Avenue. The Museum is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a \$500,000 grant to fund a portion of the project. The grant application requires the endorsement of City Council as the governing body of the municipality in which the restoration project is located.

George Eastman's historic mansion is surrounded by lush gardens designed by renowned architects, including the Rock Garden designed by Alling Stephen DeForest, within which is located Grape Arbor designed in or about 1921 by J. Foster Warner in collaboration with Mr. DeForest. When George Eastman resided at the mansion, the Grape Arbor was used for relaxation, entertaining, and as a backdrop for promotional photography for the marketing of Kodak film. Today it remains an integral part of the Museum visitors' experience and popular for wedding and event photography.

The Grape Arbor's exposure to a century's worth of Rochester's annual freeze/thaw cycles has led to severe deterioration, including extensive wood rot that has compromised the Grape Arbor's structural stability. This has required the Museum to erect a fence to restrict public access to the Rock Garden and its Grape Arbor as a safety measure. The repair and restoration project is estimated to cost \$1,107,435. The Museum already has raised \$350,000 to fund the restoration project and has committed to raise an additional amount of \$257,435 as matching funds for OPRHP's \$500,000 grant.

The State grant, paired with the Museum's matching funds, will assure that the restoration project is completed as soon as practicable so that the Museum and all areas of George Eastman's historic mansion remain open and publicly accessible.

Respectfully submitted,  
Malik D. Evans  
Mayor

Resolution No. 2023-24  
(Int. No. 314)

**Resolution endorsing an application for a State historic preservation grant for the Restoring the Rock Garden's Grape Arbor project on the grounds of the George Eastman Museum**

WHEREAS, the George Eastman Museum (Museum) is located within and on the grounds of the George Eastman House located in the City at 900 East Avenue (Landmark), a designated National Historic Landmark that was designed by noted architect J. Foster Warner and constructed in 1905 as the residence for George Eastman, the founder of the Eastman Kodak Company;

WHEREAS, together, the Landmark property and Museum are a great historic, cultural and economic asset to the community, drawing nearly 150,000 visitors in 2019, more than 65% having traveled from outside the region;

WHEREAS, George Eastman's historic mansion is surrounded by lush gardens designed by renowned architects, including the Rock Garden designed by Alling Stephen DeForest, within which is located Grape Arbor designed in or about 1921 by J. Foster Warner in collaboration with Mr. DeForest;

WHEREAS, when Eastman resided at the House, the Grape Arbor was used for relaxation, entertaining, and as a backdrop for promotional photography for the marketing of Kodak film, and today it is an integral part of the Museum visitors' experience and popular for wedding and event photograph;

WHEREAS, for more than a century, the Grape Arbor's exposure to Rochester's annual freeze/thaw cycle has led to severe deterioration, including extensive wood rot that has compromised the Grape Arbor's structural stability, which has required the Museum to erect a fence to restrict public access to the Rock Garden and its Grape Arbor as a safety measure;

WHEREAS, Bero Architecture PLLC's condition survey of the Landmark property prioritized the Grape Arbor as one of the historic garden structures in need of structural repairs and restoration;

WHEREAS, the Museum has submitted an application to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant of \$500,000 to fund a portion of the costs of repairing and restoring the Grape Arbor (the Project), a project that is estimated to cost \$1,107,435;

WHEREAS, the Museum already has raised \$350,000 to fund the Project and has committed to raise an additional amount of \$257,435 as matching funds for the Project within one year of notification of OPRHP's grant award;

WHEREAS, the grant funding would assure that the Project is completed as soon as practicable and that the Museum and all areas of Landmark property remain open and publicly accessible; and

WHEREAS, OPRHP grant program rules require that the George Eastman Museum, as a not-for-profit entity, obtain the approval and endorsement of this Council, as the governing body of the municipality in which the restoration project would be located.

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

Section 1. The Council hereby does approve and endorse the application of the George Eastman Museum for a grant under Title 9 of the Environmental Protection Act of 1993 for a historic preservation project located within this community on the grounds of the George Eastman Museum and known as the Restoring the Rock Garden's Grape Arbor project.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

The meeting was adjourned at 7:33 pm.

HAZEL L. WASHINGTON  
City Clerk